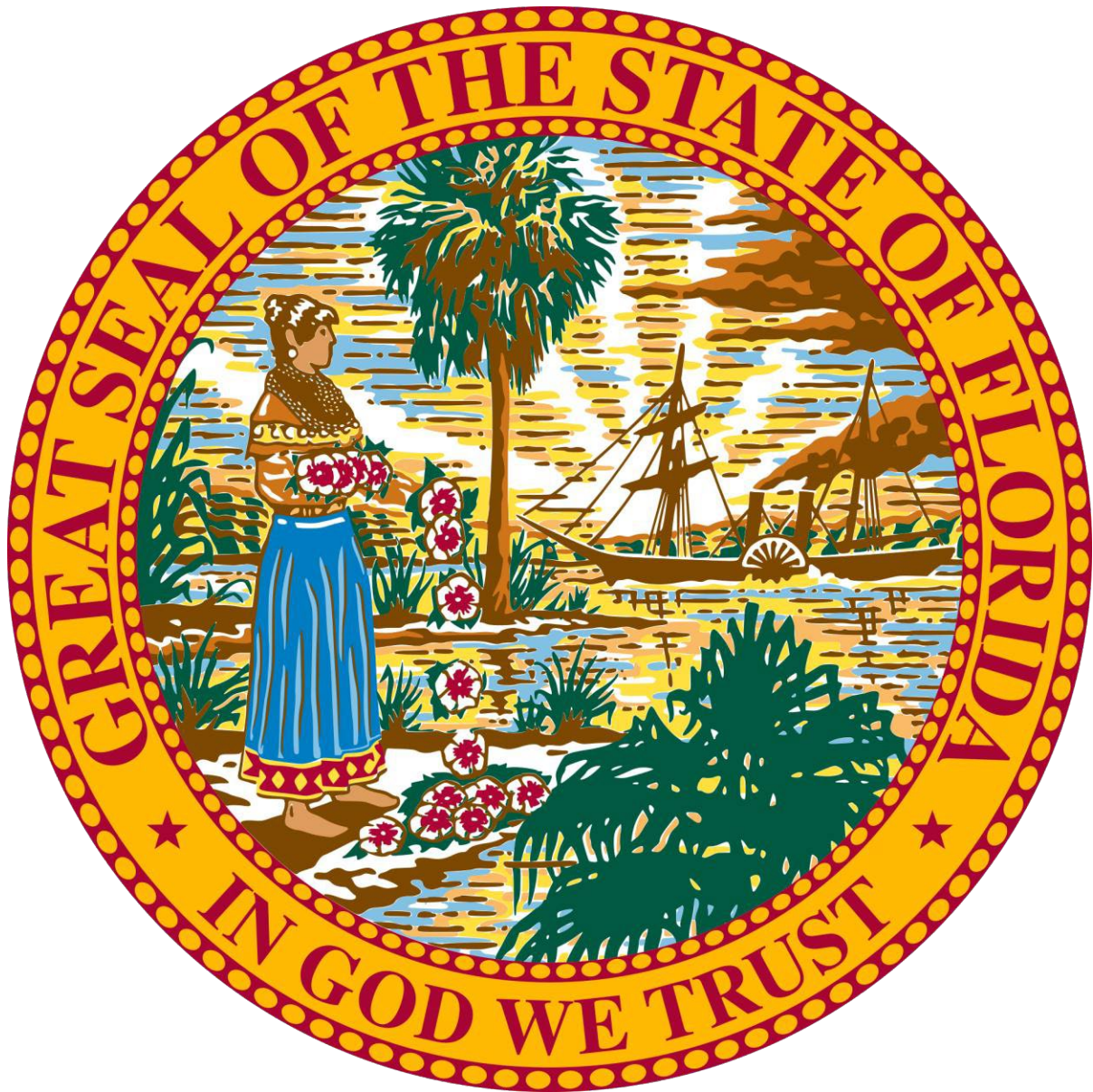


***Governor's  
Reference Manual  
for Notaries Public***



***State of Florida***

**PUBLISHED BY:**

State of Florida  
Executive Office of the Governor  
Notary Section  
Tallahassee, Florida 32399-0001

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**PLEASE NOTE:**

This manual has been prepared to educate Florida notaries public about the laws governing their duties and is not intended as legal advice. For additional information regarding the laws governing Florida notaries public, it may be advisable for you or your customer to seek the advice of a licensed attorney.

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# Resources for Florida Notaries Public

## Contact the Executive Office of the Governor's Notary Section:

- To learn how to obtain educational materials.
- To file a complaint against a notary public.
- To respond to a complaint filed against you for notary misconduct.
- To resign your notary public commission.

**Executive Office of the Governor  
Notary Section  
2415 North Monroe  
Street, Suite 810.  
Tallahassee, FL 32303**

[FL\\_GOV.Notary@eog.myflorida.com](mailto:FL_GOV.Notary@eog.myflorida.com)

**(850) 717-9310 option #2**

- Also, be sure to check out the Notary Section of the Executive Office of the Governor on the Governor's website for answers to your Florida notary public questions:

<http://www.flgov.com/notary>

## Contact the Department of State's Notary Commissions and Certifications Section:

- To report a change in your home address, business address, telephone number, or criminal record.
- To obtain information about a particular notary public or a notary public's surety bond.
- To obtain a list of the bonding agencies approved to process notary public commission applications.
- To report your notary public seal as lost or stolen.
- To request authentication of a notary public's commission for a document being sent to another state or a foreign country (i.e. a Certificate of Notarial Authority or an Apostille).

**Department of State  
Notary Commissions and Certifications Section  
P.O. Box 6327  
Tallahassee, FL 32314**

**(850) 245-6975**

(Notary Commissions and Certifications)

**(850) 245-6945**

(Apostille)

- Another website that may interest you is that of the Department of State's Notary Commissions and Certifications Section, where you can search for Florida notaries public, access the Notary Education Program, obtain a list of notary public bonding agencies, learn about Apostille certification, and more:

<http://notaries.dos.state.fl.us>

**Contact your Bonding Agency:**

- To obtain and submit an application for appointment as a notary public.
- To check the status of your pending notary public commission application.
- To amend your notary public commission after a lawful name change.
- To receive information about your notary public surety bond, or optional errors and omissions insurance.
- To purchase a notary public seal.
- To request a duplicate copy of your notary public commission certificate.

**Check out these other helpful websites for Florida notaries public:**

**Florida Statutes**

<http://www.leg.state.fl.us/Statutes>

**U.S. Citizenship and Immigration Services,**

<https://www.uscis.gov/>

**U.S. State Department Office of Authentications,**

<http://www.state.gov/m/a/auth/>

# Office of Notary Public

## *What is a Notary Public?*

A notary public is a public officer appointed and commissioned by the Governor whose function is to administer oaths (or affirmations); to take acknowledgments; to attest to the trueness of photocopies of certain documents; and to perform other duties specified by Florida law.

## *Qualifications and Requirements for Appointment*

- You may only be commissioned in your legal first name (or a nickname of your legal first name, within reason) and your legal last name; the inclusion of your legal middle name or initial in your commissioned name is optional.
  - For example, John Quinton Public could be commissioned as:
    - John Quinton Public
    - John Q. Public
    - John Public
    - Johnny Quinton Public
    - Johnny Q. Public
    - Johnny Public
  - For notarial certificates, your notary public seal and the name you type, print, or stamp beneath your signature must bear the legal name for which you are commissioned. However, you must sign notarial certificates with your official signature as it appears on the oath of office for your notary public commission application.
- You must be at least 18 years of age.
- You must be a legal resident of Florida. There is no certain length of time required to establish residency. However, if the Governor's Office requires proof of residency, the following methods, along with the applicant's intent to reside in Florida, would be acceptable: Florida driver license; Florida ID card; Homestead Exemption; tax form; voter's registration card; recorded Declaration of Domicile; or sworn affidavit.
  - For permanent resident aliens: "A permanent resident alien may apply and be appointed and shall file with his or her application a recorded Declaration of Domicile." Fla. Stat. § 117.01(1).
- If ever convicted of a felony charge, you must have your civil rights restored, pursuant to Article VI, section 4(a) of the Florida Constitution.
- If ever convicted of a felony, or if ever had adjudication withheld or sentence suspended for a felony offense, you must submit the following documents:
  - Written statement regarding the nature and circumstances of the charge(s);
  - Copy of the court judgment and sentencing order, or a comparable court document; and
  - If convicted, copy of the Certificate of Restoration of Civil Rights (or pardon). The name of this document may vary depending on the state where the conviction occurred. If the conviction occurred in a state that does not provide a document of this nature upon the restoration of civil rights, the applicant is responsible for providing explanation and substantial evidence as proof of the fact.
    - This information is required whether the felony charges were brought by the State of Florida, another state, or the United States. If adjudication was withheld and civil rights were not forfeited, the written statement and court documents are sufficient.
    - To obtain information about the restoration of civil rights, you may contact:

**Office of Executive Clemency  
4070 Esplanade Way  
Tallahassee, FL 32399-2450**

**(850) 488-2952**

- Pursuant to Section 117.01(2), Florida Statutes, you must take the constitutional oath of office. As part of the oath of office, pursuant to Section 117.01(3), Florida Statutes, you must also swear (or affirm) that you have read Chapter 117, Florida Statutes, and any amendments thereto, and know the duties, responsibilities, limitations, and powers of a Florida notary public; and that you will well and faithfully perform the duties of Notary Public, State of Florida.
- "A first-time applicant for a notary commission must submit proof that the applicant has, within 1 year prior to the application, completed at least 3 hours of interactive or classroom instruction, including electronic notarization, and covering the duties of the notary public. Courses satisfying this section may be offered by any public or private sector person or entity registered with the Executive Office of the Governor and must include a core curriculum approved by that office." Fla. Stat. § 668.50(11)(b).

*Appointment, Commission, and Jurisdiction*

- Notaries public are public officers appointed and commissioned by the Governor. You are not licensed; you are appointed. An appointment is a privilege, not a right.
- "A notary public shall be appointed for 4 years and may only use and exercise the office of notary public if he or she is within the boundaries of this state." Fla. Stat. § 117.01(1).
  - For example, a commission which began on December 1, 2016 (12:00 a.m.), will end on November 30, 2020 (11:59 p.m.).
- Additionally, regarding jurisdiction: Section 117.05(4)(a), Florida Statutes, provides that, when notarizing a signature, a notary public shall complete a jurat or notarial certificate containing the venue stating the location of the notary public at the time of the notarization "State of Florida, County of \_\_\_\_\_."

*Application Process*

- Since July 1, 1996, applications have been submitted by bonding agencies both in paper format and in an electronic format approved by the Department of State's Notary Commissions and Certifications Section.
- Pursuant to Section 117.01(2), Florida Statutes, the application form is prescribed by the Department of State and consists of three parts:
  - (1) *Personal information*: full name; residence address and telephone number; business address and telephone number; date of birth; race; sex; social security number; citizenship status; driver license number or the number of other official state-issued identification; a list of all professional licenses and commissions issued by the state during the previous 10 years and a statement as to whether or not the applicant has had such license or commission revoked or suspended; a statement as to whether or not the applicant has been convicted of a felony; and if there has been a felony conviction, a statement of the nature of the felony and restoration of civil rights.
  - (2) *Affidavit of good character* from someone unrelated to the applicant who has known the applicant for 1 year or more.
  - (3) *Oath of office*: The applicant must sign the following oath. (Please note: the signature is the notary public's official signature on file.)

State of Florida \_\_\_\_\_ County  
 I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the state; that I have read Chapter 117, Florida Statutes, and any amendments thereto, and know the duties, responsibilities, limitations, and powers of a notary public; and that I will well and faithfully perform the duties of Notary Public, State of Florida, on which I am now about to enter. So help me God. \*

**UNDER PENALTY OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING APPLICATION AND OATH, AND THAT THE FACTS STATED THEREIN ARE TRUE. I accept the Office of Notary Public, State of Florida.**

*\*Note: If you affirm, you may omit the words "So help me God." Fla. Stat. § 92.52.*

**Note:** *The application form no longer requires notarization.*

- "The application for appointment shall be signed and sworn to by the applicant and shall be accompanied by a fee of \$25, together with the \$10 commission fee required by s. 113.01, and a surcharge of \$4, which \$4 is appropriated to the Executive Office of the Governor to be used to educate and assist notaries public." Fla. Stat. § 117.01(2).
  - "[N]o commission fee shall be required for the issuance of a commission as a notary public to a veteran who served during a period of wartime service, as defined in s. 1.01(14), and who has been rated by the United States Government or the United States Department of Veterans Affairs or its predecessor to have a disability rating of 50 percent or more; such a disability is subject to verification by the Secretary of State, who has authority to adopt reasonable procedures to implement this act." Fla. Stat. § 117.01(2).
    - A veteran who qualifies should request the reduction in writing and provide proof of exemption.
- Once the appointment is made, the notary public commission certificate is usually mailed back to the bonding agency, who forwards it to the notary public with the notary public seal.

#### *Renewal of Notary Public Commission*

- "No person may be automatically reappointed as a notary public. The application process must be completed regardless of whether an applicant is requesting his or her first notary commission, a renewal of a commission, or any subsequent commission." Fla. Stat. § 117.01(6).
- Please be advised that, to allow for ample processing time to ensure that there is no break in service, the Department of State suggests renewal applicants submit their notary public commission applications **approximately six months** in advance of their current commission's expiration date.
- Continue using your current notary public seal through the end of your current commission. If you are reappointed, you must not use your new notary public seal until the first day of your new commission. Destroy your old notary public seal to prevent its misuse.
- "Any person who acts as or otherwise willfully impersonates a notary public while not lawfully appointed and commissioned to perform notarial acts is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083." Fla. Stat. § 117.05(7).

#### *Surety Bond*

- "A notary public shall, prior to executing the duties of the office and throughout the term of office, give bond, payable to any individual harmed as a result of a breach of duty by the notary public acting in his or her official capacity, in the amount of \$7,500, conditioned for the due discharge of the office and shall take an oath that he or she will honestly, diligently, and faithfully discharge the duties of the notary public. The bond shall be approved and filed with the Department of State and executed by a surety company for hire duly authorized to transact business in this state." Fla. Stat. § 117.01(7)(a).
- Pursuant to Section 117.01(4), Florida Statutes, the Governor may suspend a notary public for any grounds constituting malfeasance, misfeasance, or neglect of duty, such as failure to maintain the surety bond required by Chapter 117, Florida Statutes.

#### *Notary Public Official Seal and Commission Certificate*

- "A notary public seal shall be affixed to all notarized paper documents and shall be of the rubber stamp type and shall include the words 'Notary Public-State of Florida.' The seal shall also include the name of the notary public, the date of expiration of the commission of the notary public, and the commission number. The rubber stamp seal must be affixed to the notarized paper document in photographically reproducible black ink. Every notary public shall print, type, or stamp below his or her signature on a paper document his or her name exactly as commissioned. An impression-type seal may be used in addition to the rubber stamp seal, but the rubber stamp seal shall be the official seal for use on a paper document, and the impression-type seal may not be substituted therefor." Fla. Stat. § 117.05(3)(a).



- “The notary public official seal and the certificate of notary public commission are the exclusive property of the notary public and must be kept under the direct and exclusive control of the notary public. The seal and certificate of commission must not be surrendered to an employer upon termination of employment, regardless of whether the employer paid for the seal or for the commission.” Fla. Stat. § 117.05(3)(b).
  - “A notary public whose official seal is lost, stolen, or believed to be in the possession of another person shall immediately notify the Department of State or the Governor in writing.” Fla. Stat. § 117.05(3)(c).
  - If you lose your notary public commission certificate, you may request a duplicate from the Department of State’s Notary Commissions and Certifications Section, or from your bonding agency.
- “Any person who unlawfully possesses a notary public official seal or any papers or copies relating to notarial acts is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.” Fla. Stat. § 117.05(3)(d).
- Please be advised that, pursuant to Section 15.03(3), Florida Statutes, only the Department of State shall be authorized to affix the Great Seal of the State of Florida to any document for the purpose of attesting, certifying, or otherwise formalizing such document. Any facsimile or reproduction of the great seal shall be manufactured, used, displayed, or otherwise employed by anyone only upon the approval of the Department of State. The Department of State may grant a certificate of approval upon application to it by any person showing good cause for the use of the seal for a proper purpose. The Department of State may adopt reasonable rules for the manufacture or use of the great seal or any facsimile or reproduction thereof. Any person violating the provisions of this subsection is guilty of a misdemeanor of the second degree.

*Change of Address, Telephone Number, or Criminal Record*

- “A notary public shall notify, in writing, the Department of State of any change in his or her business address, home telephone number, business telephone number, home address, or criminal record within 60 days after such change.” Fla. Stat. § 117.01(2).
- “Any notary public who lawfully changes his or her name shall, within 60 days after such change, request an amended commission from the Secretary of State and shall send \$25, his or her current commission, and a notice of change form, obtained from the Secretary of State, which shall include the new name and contain a specimen of his or her official signature. The Secretary of State shall issue an amended commission to the notary public in the new name. A rider to the notary public’s bond must accompany the notice of change form. After submitting the required notice of change form and rider to the Secretary of State, the notary public may continue to perform notarial acts in his or her former name for 60 days or until receipt of the amended commission, whichever date is earlier.” Fla. Stat. § 117.05(9).
- Pursuant to Section 117.01(5)(b), Florida Statutes, if you move out of state and change your legal residence, you must resign your notary public commission.
- To change your address, you may photocopy and use Appendix A of this manual.

*Resignation of Notary Public Commission*

- “A notary public who wishes to resign his or her commission, or a notary public who does not maintain legal residence in this state during the entire term of appointment, or a notary public whose resignation is required by the Governor, shall send a signed letter of resignation to the Governor and shall return his or her certificate of notary public commission. The resigning notary public shall destroy his or her official notary public seal of office, unless the Governor requests its return.” Fla. Stat. § 117.01(5)(b).
  - You may photocopy and use Appendix B or Appendix C of this manual for this purpose.

# Performing Notarial Acts

## *Notarial Certificates or Jurats*

- Pursuant to Section 117.05(4), Florida Statutes, when notarizing a signature, a notary public shall complete a jurat or notarial certificate in substantially the same form as those found in Section 117.05(13), Florida Statutes. The jurat or certificate of acknowledgment shall contain the following elements:
  - The venue stating the location of the notary public at the time of the notarization in the format, "State of Florida, County of \_\_\_\_";
  - The type of notarial act performed, an oath or an acknowledgment, evidenced by the words "sworn" or "acknowledged";
  - Whether the signer personally appeared before the notary public at the time of the notarization by physical presence or by means of audio-video communication technology as authorized under Part II of Chapter 117;
  - The exact date of the notarial act;
  - The name of the person whose signature is being notarized. It is presumed, absent such specific notation by the notary public, that notarization is to all signatures;
  - The specific type of identification the notary public is relying upon in identifying the signer, either based on personal knowledge or satisfactory evidence specified in Section 117.05(5), Florida Statutes;
  - The notary public's official signature;
  - The notary public's name, typed, printed, or stamped below the signature; and
  - The notary public's official seal affixed below or to either side of the notary public's signature.

## *Identifying the Signer*

- "A notary public may not notarize a signature on a document unless he or she personally knows, or has satisfactory evidence, that the person whose signature is to be notarized is the individual who is described in and who is executing the instrument. A notary public shall certify in the certificate of acknowledgment or jurat the type of identification, either based on personal knowledge or other form of identification, upon which the notary public is relying. In the case of an online notarization, the online notary public shall comply with the requirements set forth in Part II of Chapter 117." Fla. Stat. § 117.05(5)." Fla. Stat. § 117.05(5).
  - Pursuant to Section 117.05(5)(a), Florida Statutes, the term "personally knows", means having an acquaintance, derived from association with the individual, which establishes the individual's identity with at least a reasonable certainty.
  - Pursuant to Section 117.05(5)(b), Florida Statutes, the term "satisfactory evidence" means the absence of any information, evidence, or other circumstances which would lead a reasonable person to believe that the person whose signature is to be notarized is not the person he or she claims to be and any one of the following:
    - The sworn written statement of one credible witness personally known to the notary public or the sworn written statement of two credible witnesses whose identities are proven to the notary public upon the presentation of satisfactory evidence that each of the following is true:
      - That the person whose signature is to be notarized is the person named in the document;
      - That the person whose signature is to be notarized is personally known to the witnesses;
      - That it is the reasonable belief of the witnesses that the circumstances of the person whose signature is to be notarized are such that it would be very difficult or impossible for that person to obtain another acceptable form of identification;
      - That it is the reasonable belief of the witnesses that the person whose signature is to be notarized does not possess any of the identification documents specified

- in Section 117.05(5)(b)(2.), Florida Statutes; and
  - That the witnesses do not have a financial interest in nor are parties to the underlying transaction; or
- Reasonable reliance on the presentation to the notary public of any one of the following forms of identification, if the document is current or has been issued within the past 5 years and bears a serial or other identifying number:
  - A Florida identification card or driver license issued by the public agency authorized to issue driver licenses;
  - A passport issued by the Department of State of the United States;
  - A passport issued by a foreign government if the document is stamped by the United States Bureau of Citizenship and Immigration Services;
  - A driver license or an identification card issued by a public agency authorized to issue driver licenses in a state other than Florida or in a territory of the United States, or Canada or Mexico;
  - An identification card issued by any branch of the armed forces of the United States;
  - A veteran health identification card issued by the United States Department of Veterans Affairs;
  - An inmate identification card issued on or after January 1, 1991, by the Florida Department of Corrections for an inmate who is in the custody of the department;
  - An inmate identification card issued by the United States Department of Justice, Bureau of Prisons, for an inmate who is in the custody of the department;
  - A sworn, written statement from a sworn law enforcement officer that the forms of identification for an inmate in an institution of confinement were confiscated upon confinement and that the person named in the document is the person whose signature is to be notarized; or
  - An identification card issued by the United States Bureau of Citizenship and Immigration Services.

#### *Notary Public Fees*

- “The fee of a notary public may not exceed \$10 for any one notarial act, except as provided s. 117.045 or s. 117.275.” Fla. Stat § 117.05(2)(a)
  - “A notary public is authorized to solemnize the rites of matrimony. For solemnizing the rites of matrimony, the fee of a notary public may not exceed those provided by law to the clerks of the circuit court for like services.” Fla. Stat. § 117.045.
- “A notary public may not charge a fee for witnessing an absentee ballot in an election, and must witness such a ballot upon the request of an elector, provided the notarial act is in accordance with the provisions of this chapter.” Fla. Stat. § 117.05(2)(b).
- Pursuant to Section 117.01(4), Florida Statutes, the Governor may suspend a notary public for any grounds constituting malfeasance, misfeasance, or neglect of duty, such as charging fees in excess of fees authorized by Chapter 117, Florida Statutes.

#### *Electronic Notarization*

- Pursuant to Section 117.021, Florida Statutes:
  - Any document requiring notarization may be notarized electronically. The provisions of Sections 117.01, 117.03, 117.04, 117.05(1)-(11), (13), and (14), 117.105, and 117.107, Florida Statutes, apply to all notarizations under this section.
  - In performing an electronic notarial act, a notary public shall use an electronic signature that is:
    - Unique to the notary public;
    - Capable of independent verification;
    - Retained under the notary public’s sole control; and includes access protection though use of passwords or codes under control of the notary public; and
    - Attached to or logically associated with the electronic document in a manner that any subsequent alteration to the electronic document displays evidence of the alteration.

- When a signature is required to be accompanied by a notary public seal, the requirement is satisfied when the electronic signature of the notary public contains all of the following seal information:
  - The full name of the notary public exactly as provided on the notary public's application for commission;
  - The words "Notary Public State of Florida";
  - The date of expiration of the commission of the notary public; and
  - The notary public's commission number.
- A person may not require a notary public to perform a notarial act with respect to an electronic record with a form of technology that the notary public has not selected to use.
- Failure of a notary public to comply with any of the requirements of Section 117.021, Florida Statutes, may constitute grounds for suspension of the notary public's commission by the Executive Office of the Governor.
- The Department of State may adopt rules to ensure the security, reliability, and uniformity of signatures and seals authorized in Section 117.021, Florida Statutes.
  - The Department of State, in collaboration with The Agency for State Technology, shall adopt rules establishing standards for tamper-evident technologies that will indicate any alteration or change to an electronic record after completion of a notarial act. All electronic notarizations performed on or after January 1, 2020, must comply with the adopted standards.
- Pursuant to Section 668.50(11)(a), Florida Statutes, if a law requires a signature or record to be notarized, acknowledged, verified, or made under oath, the requirement is satisfied if the electronic signature of the person authorized by applicable law to perform those acts, together with all other information required to be included by other applicable law, is attached to or logically associated with the signature or record. Neither a rubber stamp nor an impression type seal is required for an electronic notarization.
- For further information, you may wish to review the entirety of Section 668.50, Florida Statutes, which is titled "Uniform Electronic Transaction Act."

#### *Keeping Records via a Notary Journal*

- Although not required by Florida law, you may consider keeping a notary journal. Even though journals are not required, any notary who is concerned with liability may want to consider this protective measure to provide a permanent record of his or her notarial acts.
  - Please note that notary journals are usually available from your bonding agency or an office supply store.

#### *Refusal of Notary Services*

- If you are asked to provide notary services and would like to refuse, you may wish to consult with an attorney regarding any concerns you may have in providing the requested notary services.

# Duties of Notaries Public

Notaries are authorized by law to perform six basic duties:

- Administer oaths or affirmations
- Take acknowledgments
- Solemnize marriages
- Attest to photocopies
- Verify vehicle identification numbers (VINs)
- Certify the contents of a safe-deposit box

## *Administration of Oaths*

- “A notary public may administer an oath and make a certificate thereof when it is necessary for the execution of any writing or document to be published under the seal of a notary public. The notary public may not take an acknowledgment of execution in lieu of an oath if an oath is required.” Fla. Stat. § 117.03.
  - Examples of instances for which a notary public may administer an oath: affidavits, applications, depositions, vehicle identification number (VIN) verification, etc.
    - Pursuant to Section 454.23, Florida Statutes, the taking of a deposition constitutes the practice of law. Pursuant to Section 117.01(4)(f), Florida Statutes, the Governor may suspend a notary public for any grounds constituting malfeasance, misfeasance, or neglect of duty, e.g. the unauthorized practice of law.
- Pursuant to Section 117.05(13)(a), Florida Statutes, the following notarial certificate is sufficient for an oath or affirmation:

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_

Sworn to (or affirmed) and subscribed before me by means of [ ] physical presence or [ ] online notarization, this (numeric date) this (numeric date) day of (month), (year), by (name of person making statement).

(Signature of Notary Public – State of Florida)  
(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known \_\_\_\_\_ OR Produced Identification \_\_\_\_\_  
Type of Identification Produced: \_\_\_\_\_

- The specification of forms in Section 117.05(13), Florida Statutes, does not preclude the use of other forms.
- Pursuant to Section 117.05(14), Florida Statutes, a notary public must make reasonable accommodations to provide notarial services to persons with disabilities.
  - A notary public may notarize the signature of a person who is blind after the notary public has read the entire instrument to that person.
  - A notary public may notarize the signature of a person who signs with a mark if:
    - The document signing is witnessed by two disinterested persons;
    - The notary public prints the person’s first name at the beginning of the designated signature line and the person’s last name at the end of the designated signature line; and
    - The notary public prints the words “his (or her) mark” below the person’s signature mark.
      - The following notarial certificate is sufficient for the purpose of an oath or affirmation when a person signs with a mark:

(First Name) (Last Name)  
His (or Her) Mark

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_

Sworn to (or affirmed) and subscribed before me by means of [ ] physical presence or [ ] online notarization this (numeric date) day of (month), (year), by (name of person making statement), who signed with a mark in the presence of these witnesses:\_\_\_\_\_.

(Signature of Notary Public – State of Florida)  
(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known\_\_\_\_\_OR Produced Identification \_\_\_\_\_  
Type of Identification Produced: \_\_\_\_\_

- A notary public may sign the name of a person whose signature is to be notarized when that person is physically unable to sign or make a signature mark on a document if:
  - The person with a disability directs the notary to sign in his or her presence by verbal, written, or other means;
  - The document signing is witnessed by two disinterested persons; and
  - The notary writes below the signature the following statement: “Signature affixed by notary, pursuant to s. 117.05(14), Florida Statutes,” and states the circumstances and the means by which the notary public was directed to sign in the notarial certificate.
    - The following notarial certificate is sufficient for the purpose of an oath or affirmation for a person with a disability who directs the notary to sign his or her name:

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_

Sworn to (or affirmed) and subscribed before me by means of [ ] physical presence or [ ] online notarization, this (numeric date) day of (month), (year), by (name of person making statement), and subscribed by (name of notary) .at the direction of (name of person making statement) by (written, verbal, or other means), and in the presence of these witnesses:  
\_\_\_\_\_.

(Signature of Notary Public – State of Florida)  
(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known\_\_\_\_\_OR Produced Identification \_\_\_\_\_  
Type of Identification Produced: \_\_\_\_\_

*Taking Acknowledgments*

- “A notary public is authorized to take the acknowledgments of deeds and other instruments of writing for record, as fully as other officers of this state.” Fla. Stat. § 117.04.
- Pursuant to Section 117.05(13)(a), Florida Statutes, the following notarial certificates is sufficient for an acknowledgment in an individual capacity:

*(Please see the following page.)*

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me by means of [ ] physical presence or [ ] online notarization this (numeric date) day of (month), (year), by (name of person acknowledging).

(Signature of Notary Public – State of Florida)  
(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known \_\_\_\_\_ OR Produced Identification \_\_\_\_\_  
Type of Identification Produced: \_\_\_\_\_

- Pursuant to Section 117.05(13)(a), Florida Statutes, the following notarial certificates is sufficient for an acknowledgment in a representative capacity:

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me by means of [ ] physical presence or [ ] online notarization this (numeric date) day of (month), (year), by (name of person) as (type of authority, e.g. officer, trustee, attorney in fact) for (name of party on behalf of whom instrument was executed).

(Signature of Notary Public – State of Florida)  
(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known \_\_\_\_\_ OR Produced Identification \_\_\_\_\_  
Type of Identification Produced: \_\_\_\_\_

- The specification of forms in Section 117.05(13), Florida Statutes, does not preclude the use of other forms.
- Pursuant to Section 117.05(14), Florida Statutes, a notary public must make reasonable accommodations to provide notarial services to persons with disabilities.
  - A notary public may notarize the signature of a person who is blind after the notary public has read the entire instrument to that person.
  - A notary public may notarize the signature of a person who signs with a mark if:
    - The document signing is witnessed by two disinterested persons;
    - The notary public prints the person's first name at the beginning of the designated signature line and the person's last name at the end of the designated signature line; and

- The notary public prints the words “his (or her) mark” below the person’s signature mark.
  - The following notarial certificate is sufficient for the purpose of an acknowledgment in an individual capacity when a person signs with a mark:

(First Name) (Last Name)  
His (or Her) Mark

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me by means of [ ] physical presence or [ ] online notarization, this (numeric date) day of (month), (year), by (name of person acknowledging), who signed with a mark in the presence of these witnesses: \_\_\_\_\_.

(Signature of Notary Public – State of Florida)  
(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known \_\_\_\_\_ OR Produced Identification \_\_\_\_\_  
Type of Identification Produced: \_\_\_\_\_



- A notary public may sign the name of a person whose signature is to be notarized when that person is physically unable to sign or make a signature mark on a document if:
  - The person with a disability directs the notary public to sign in his or her presence by verbal, written, or other means;
  - The document signing is witnessed by two disinterested persons; and
  - The notary public writes below the signature the following statement: “Signature affixed by notary, pursuant to s. 117.05(14), Florida Statutes,” and states the circumstances and the means by which the notary public was directed to sign in the notarial certificate.
  - The notary public must maintain the proof of direction and authorization to sign on behalf of the person with a disability for 10 years from the date of the notarial act.
    - The following notarial certificate is sufficient for the purpose of an acknowledgment in an individual capacity for a person with a disability who directs the notary public to sign his or her name:

STATE OF FLORIDA  
 COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me by means of [ ] physical presence or [ ] online notarization, this (numeric date) day of (month), (year), by (name of person acknowledging), and subscribed by (name of notary) at the direction of and in the presence of (name of person acknowledging), and in the presence of these witnesses:  
 \_\_\_\_\_.

(Signature of Notary Public – State of Florida)  
(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known \_\_\_\_\_ OR Produced Identification \_\_\_\_\_  
 Type of Identification Produced: \_\_\_\_\_

***Solemnizing Marriages***

- “All regularly ordained ministers of the gospel or elders in communion with some church, or other ordained clergy, and all judicial officers, including retired judicial officers, clerks of the circuit courts, and notaries public of this state may solemnize the rights of matrimonial contract, under the regulations prescribed by law. Nothing in this section shall make invalid a marriage which was solemnized by any member of the clergy, or as otherwise provided by law prior to July 1, 1978.” Fla. Stat. § 741.07(1).
- “Any marriage which may be had and solemnized among the people called ‘Quakers,’ or ‘Friends,’ in the manner and form used or practiced in their societies, according to their rites and ceremonies, shall be good and valid in law; and wherever the words ‘minister’ and ‘elder’ are used in this chapter, they shall be held to include all of the persons connected with the Society of Friends, or Quakers, who perform or have charge of the marriage ceremony according to their rites and ceremonies.” Fla. Stat. § 741.07(2).
- “A notary public is authorized to solemnize the rites of matrimony. For solemnizing the rites of matrimony, the fee of a notary public may not exceed those provided by law to the clerks of the circuit court for like services.” Fla. Stat. § 117.045.
  - Please note that, pursuant to Section 28.24, Florida Statutes, the clerk of the circuit court may charge up to \$30 for solemnizing matrimony.
- “Every marriage license shall be issued by a county court judge or clerk of the circuit court under his or her hand and seal. The county court judge or clerk of the circuit court shall issue such license, upon application for the license, if there appears to be no impediment to the marriage.” Fla. Stat. § 741.01(1).
- “Marriage licenses shall be valid only for a period of 60 days after issuance, and no person shall perform any ceremony of marriage after the expiration date of such license. The county court judge or clerk of the circuit court shall recite on each marriage license the final date that the license is valid.” Fla. Stat. § 741.041.

- “Before any of the persons named in s. 741.07 shall solemnize any marriage, he or she shall require of the parties a marriage license issued according to the requirements of s. 741.01, and within 10 days after solemnizing the marriage he or she shall make a certificate thereof on the license, and shall transmit the same to the office of the county court judge or clerk of the circuit court from which it issued.” Fla. Stat. § 741.08.
- A notary public may perform a marriage ceremony for a person who is related to him or her by blood or marriage. The prohibition against notarizing the signature of a spouse, son, daughter, mother, or father does not apply because the notary is not notarizing the signature of the bride and groom, but is only certifying that the couple have been joined in marriage by the notary according to the laws of the State of Florida. Op. Att’y Gen. Fla. 91-70 (1991).

*Attesting to Tangible or Electronic Records*

- “A notary public may supervise the making of a tangible or an electronic record or the printing of an electronic record and attest to the trueness of the copy or of the printout, provided the document is neither a vital record in this state, another state, a territory of the United States, or another country, nor a public record, if a copy can be made by the custodian of the public record.” Fla. Stat. § 117.05(12)(a).
- Pursuant to Section 117.05(12)(b), Florida Statutes, a notary public must use a certificate in substantially the following form in notarizing an attested copy:

STATE OF FLORIDA  
 COUNTY OF \_\_\_\_\_

On this (numeric date) day of (month), (year), I attest that the preceding or attached document is a true, exact, complete, and unaltered photocopy made by me of (description of document) presented to me by the document’s custodian, (custodian name), and, to the best of my knowledge, that the photocopied document is neither a vital record nor a public record, certified copies of which are available from an official source other than a notary public.

(Official Notary Signature and Notary Seal)  
(Name of Notary Typed, Printed or Stamped)

- Pursuant to Section 117.05(12)(c), Florida Statutes, a notary public must use a certificate in substantially the following form in notarizing a copy of a tangible or an electronic record or a printout of an electronic record:

STATE OF FLORIDA  
 COUNTY OF \_\_\_\_\_

On this day of , (year) , I attest that the preceding or attached document is a true, exact, complete, and unaltered (copy of a tangible or an electronic record presented to me by the document’s custodian) or a (printout made by me of such record). If a printout, I further attest that, at the time of printing, no security features, if any, present on the electronic record, indicated that the record had been altered since execution.

(Signature of Notary Public – State of Florida)  
 (Print, Type, or Stamp Commissioned Name of Notary Public)

*Verifying Vehicle Identification Numbers (VINs)*

- Section 319.23(3), Florida Statutes, is concerned with the role of Florida notaries public in verifying Vehicle Identification Numbers (VINs).

- HSMV 82042 (Rev. 01/13) is the appropriate form prepared by the Department of Highway Safety and Motor Vehicles, wherein Part A is the Owner's Vehicle Identification Affidavit and Odometer Declaration and Part B is the Verification of the Vehicle Identification Number.
  - This form is to be submitted to the local tax collector office.

*Certifying Contents of Safe-Deposit Boxes*

- "If the rental due on a safe-deposit box has not been paid for 3 months, the lessor may send a notice by certified mail to the last known address of the lessee stating that the safe-deposit box will be opened and its contents stored at the expense of the lessee unless payment of the rental is made within 30 days. If the rental is not paid within 30 days from the mailing of the notice, the box may be opened in the presence of an officer of the lessor and of a notary public. The contents shall be sealed in a package by a notary public who shall write on the outside the name of the lessee and the date of the opening. The notary public shall execute a certificate reciting the name of the lessee, the date of the opening of the box, and a list of its contents. The certificate shall be included in the package, and a copy of the certificate shall be sent by certified mail to the last known address of the lessee. The package shall then be placed in the general vaults of the lessor at a rental not exceeding the rental previously charged for the box. The lessor has a lien on the package and its contents to the extent of any rental due and owing plus the actual, reasonable costs of removing the contents from the safe-deposit box." Fla. Stat. § 655.94(1).

# Statutory Short Forms of Acknowledgment

- Pursuant to Section 695.25, Florida Statutes, the forms of acknowledgment set forth in this section may be used, and are sufficient for their respective purposes, under any law of this state. The forms shall be known as “Statutory Short Forms of Acknowledgment” and may be referred to by that name. The authorization of the forms in Section 695.25, Florida Statutes, does not preclude the use of other forms.
  - For an individual acting in his or her own right:

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before by means of [ ] physical presence or [ ] online notarization, me this (date) by (name of person acknowledging), who is personally known to me or who has produced (type of identification) as identification.

(Signature of person taking acknowledgment)  
(Name typed, printed or stamped)  
(Title or rank)  
(Serial number, if any)

- For a corporation:

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me by means of [ ] physical presence or [ ] online notarization, this (date) by (name of officer or agent, title of officer or agent) of (name of corporation acknowledging), a (state or place of incorporation) corporation, on behalf of the corporation. He/she is personally known to me or has produced (type of identification) as identification.

(Signature of person taking acknowledgment)  
(Name typed, printed or stamped)  
(Title or rank)  
(Serial number, if any)

- For a limited liability company:

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me by means of [ ] physical presence or [ ] online notarization, this ...(date)... by ...(name of member, manager, officer or agent, title of member, manager, officer or agent)..., of ...(name of company acknowledging)..., a ...(state or place of formation)... limited liability company, on behalf of the company, who is personally known to me or has produced ...(type of identification)... as identification.

(Signature of person taking acknowledgment)  
(Name typed, printed or stamped)  
(Title or rank)  
(Serial number, if any)

- For a partnership:

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me by means of [ ] physical presence or [ ] online notarization, this (date) by (name of acknowledging partner or agent), partner (or agent) on behalf of (name of partnership), a partnership. He/she is personally known to me or has produced (type of identification) as identification.

(Signature of person taking acknowledgment)  
(Name typed, printed or stamped)  
(Title or rank)  
(Serial number, if any)

- For an individual acting as principal by an attorney in fact:

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me by means of [ ] physical presence or [ ] online notarization, this (date) by (name of attorney in fact) as attorney in fact, who is personally known to me or who has produced (type of identification) as identification on behalf of (name of principal).

(Signature of person taking acknowledgment)  
(Name typed, printed or stamped)  
(Title or rank)  
(Serial number, if any)

- By any public officer, trustee, or personal representative:

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me by means of [ ] physical presence or [ ] online notarization, this (date) by (name and title of position), who is personally known to me or who has produced (type of identification) as identification.

(Signature of person taking acknowledgment)  
(Name typed, printed or stamped)  
(Title or rank)

# Prohibited Acts

- Pursuant to Section 117.01(4), Florida Statutes, the Governor may suspend a notary public for any of the grounds provided in s. 7, Art. IV of the State Constitution. Grounds constituting malfeasance, misfeasance, or neglect of duty include, but are not limited to, the following:
  - A material false statement on the application.
  - A complaint found to have merit by the Governor.
  - Failure to cooperate or respond to an investigation by the Governor's Office or the Department of State regarding a complaint.
  - Official misconduct as defined in Section 838.022, Florida Statutes.
  - False or misleading advertising relating to notary public services.
  - Unauthorized practice of law.
  - Failure to report a change in business or home address or telephone number, or failure to submit documentation to request an amended commission after a lawful name change, within the specified period of time.
  - Commission of fraud, misrepresentation, or any intentional violation of Chapter 117, Florida Statutes.
  - Charging fees in excess of fees authorized by Chapter 117, Florida Statutes.
  - Failure to maintain the bond required by Section 117.01, Florida Statutes.
- "Any notary public who knowingly acts as a notary public after his or her commission has expired is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083." Fla. Stat. § 117.05(8).
- Pursuant to Section 117.105, Florida Statutes, a notary public who falsely or fraudulently takes an acknowledgment of an instrument as a notary public or who falsely or fraudulently makes a certificate as a notary public or who falsely takes or receives an acknowledgment of the signature on a written instrument is guilty of a felony of the third degree.
- Pursuant to Section 117.107, Florida Statutes, titled "Prohibited Acts":
  - "A notary public may not use a name or initial in signing certificates other than that by which the notary public is commissioned." Fla. Stat. § 117.107(1).
  - "A notary public may not sign notarial certificates using a facsimile signature stamp unless the notary public has a physical disability that limits or prohibits his or her ability to make a written signature and unless the notary public has first submitted written notice to the Department of State with an exemplar of the facsimile signature stamp. This subsection does not apply to or prohibit the use of an electronic signature and seal by a notary public who is registered as an online notary public to perform an electronic or online notarization in accordance with this chapter." Fla. Stat. § 117.107(2).
  - "A notary public may not affix his or her signature to a blank form of affidavit or certificate of acknowledgment and deliver that form to another person with the intent that it be used as an affidavit or acknowledgment." Fla. Stat. § 117.107(3).
  - "A notary public may not take the acknowledgment of or administer an oath to a person whom the notary public actually knows to have been adjudicated mentally incapacitated by a court of competent jurisdiction, where the acknowledgment or oath necessitates the exercise of a right that has been removed pursuant to s. 744.3215(2) or (3), and where the person has not been restored to capacity as a matter of record." Fla. Stat. § 117.107(4).
  - "A notary public may not notarize a signature on a document if it appears that the person is mentally incapable of understanding the nature and effect of the document at the time of notarization." Fla. Stat. § 117.107(5).
  - "A notary public may not take the acknowledgment of a person who does not speak or understand the English language, unless the nature and effect of the instrument to be notarized is translated into a language which the person does understand." Fla. Stat. § 117.107(6).
  - "A notary public may not change anything in a written instrument after it has been signed by anyone." Fla. Stat. § 117.107(7).
  - "A notary public may not amend a notarial certificate after the notarization is complete." Fla. Stat. § 117.107(8).

- “A notary public may not notarize a signature on a document if the person whose signature is being notarized does not appear before the notary public either by means of physical presence or by means of audio-video communication technology as authorized under part II of this chapter at the time the signature is notarized. Any notary public who violates this subsection is guilty of a civil infraction, punishable by penalty not exceeding \$5,000, and such violation constitutes malfeasance and misfeasance in the conduct of official duties. It is no defense to the civil infraction specified in this subsection that the notary public acted without intent to defraud. A notary public who violates this subsection with the intent to defraud is guilty of violating s. 117.105.” Fla. Stat. § 117.107(9).
- “A notary public may not notarize a signature on a document if the document is incomplete or blank. However, an endorsement or assignment in blank of a negotiable or nonnegotiable note and the assignment in blank of any instrument given as security for such note is not deemed incomplete.” Fla. Stat. § 117.107(10).
- “A notary public may not notarize a signature on a document if the person whose signature is to be notarized is the spouse, son, daughter, mother, or father of the notary public.” Fla. Stat. § 117.107(11).
- “A notary public may not notarize a signature on a document if the notary public has a financial interest in or is a party to the underlying transaction; however, a notary public who is an employee may notarize a signature for his or her employer, and this employment does not constitute a financial interest in the transaction nor make the notary a party to the transaction under this subsection as long as he or she does not receive a benefit other than his or her salary and the fee for services as a notary public authorized by law. For purposes of this subsection, a notary public who is an attorney does not have a financial interest in and is not a party to the underlying transaction evidenced by a notarized document if he or she notarizes a signature on that document for a client for whom he or she serves as an attorney of record and he or she has no interest in the document other than the fee paid to him or her for legal services and the fee authorized by law for services as a notary public.” Fla. Stat. § 117.107(12).

# Notaries Public in Special Positions

## *Government Employees*

- “Each agency, board, commission or department of the state and of the several counties of the state is hereby authorized to pay the cost of securing a notary public commission for any employee of such agency, board, commission or department. Such cost is declared to be an expense of such agency, board, commission or department and shall be expended from the budget thereof. The chief administrative officer of each such agency, board, commission or department shall determine the number of notaries public necessary for the proper administration of such agency, board, commission or department. All fees collected by such notaries public as hereinafter provided shall become fee receipts of the state or the several counties and shall be deposited in the general fund from which the budget of such agency, board, commission or department is allocated.” Fla. Stat. § 116.35.
- “Each agency, board, commission or department of each of the several municipalities of the state is hereby authorized to pay the cost of securing a notary public commission for any employee of such agency, board, commission or department. Such cost is declared to be an expense of such agency, board, commission or department and shall be expended from the budget thereof. The chief administrative officer of each such agency, board, commission or department shall determine the number of notaries public necessary for the proper administration of such agency, board, commission or department. All fees collected by such notaries public as hereinafter provided shall become fee receipts of such municipality and shall be deposited in the general fund thereof.” Fla. Stat. § 116.36.
- “In all cases where such agency, board, commission or department is under the direction of one or more elected officers such officer or officers may become notaries public in like manner as provided in the case of employees as aforesaid.” Fla. Stat. § 116.37.
- Pursuant to Section 116.37, Florida Statutes:
  - Except as is hereinafter provided, all such notaries shall collect fees for their services as notaries performed in connection with such agency, board, commission or department at the rates provided for under Chapter 117, Florida Statutes; provided, however, that in any case wherein a certain fee shall be provided by law for such service then in that event such fee as provided by law shall be collected.
  - No notary fee shall be charged or collected by such notaries in connection with such agency, board, commission or department, in connection with or incidental to the issuance of motor vehicle license tags or titles.
  - No notary public fees shall be charged by such notaries for notarizing loyalty oaths which are required by law.
  - The chief administrative officer of any such agency, board, commission or department may, upon determining that such service should be performed as a public service, authorize such service to be performed free of charge.
- “The notary public official seal and the certificate of notary public commission are the exclusive property of the notary public and must be kept under the direct and exclusive control of the notary public. The seal and certificate of commission must not be surrendered to an employer upon termination of employment, regardless of whether the employer paid for the seal or for the commission.” Fla. Stat. § 117.05(3)(b).
- “The employer of a notary public shall be liable to the persons involved for all damages proximately caused by the notary’s official misconduct, if the notary public was acting within the scope of his or her employment at the time the notary engaged in the official misconduct.” Fla. Stat. § 117.05(6).
- “Any person who acts as or otherwise willfully impersonates a notary public while not lawfully appointed and commissioned to perform notarial acts is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.” Fla. Stat. § 117.05(7).

## *Law Enforcement and Correctional Officers*

- Pursuant to Section 117.10, Florida Statutes:
  - For purposes of this section, the term “reliable electronic means” means the signing and transmission of a document through means compliant with criminal justice information system



security measures. Such signing and transmission must be made by an affiant to an officer authorized to administer oaths under Section 117.10(2), Florida Statutes, under circumstances that indicate that the document was submitted by the affiant.

- Law enforcement officers, correctional officers, and correctional probation officers, as defined in Section 943.10, Florida Statutes, and traffic accident investigation officers and traffic infraction enforcement officers, as described in Section 316.640, Florida Statutes, are authorized to administer oaths by reliable electronic means or in the physical presence of an affiant when engaged in the performance of official duties. Sections 117.01, 117.04, 117.045, 117.05, and 117.103, Florida Statutes, do not apply to this section. An officer may not notarize his or her own signature.
- An oath administered pursuant to this section is an acceptable method of verification as provided under Section 92.525, Florida Statutes.
  - Florida law does not authorize law enforcement or correctional officers to take acknowledgments, to make attested photocopies, or to solemnize marriage, nor are they permitted to notarize their own signatures. Additionally, these officers do not have to apply for appointment, obtain the required notary bond, use a notary seal, or complete notarial certificates.
  - This law is applicable to the following officers: law enforcement officers; correctional officers; correctional probation officers; traffic accident investigation officers; traffic infraction enforcement officers.
    - See Sections 943.10 and 316.640, Florida Statutes, for definitions of these officers.

#### *Military Officers*

- Pursuant to Sections 92.51 and 695.031, Florida Statutes, certain commissioned military officers are authorized to administer oaths and to take acknowledgments; however, in such capacity, they are not commissioned Florida notaries public.
  - For further information, you may wish to review Chapter 695, Florida Statutes, or consult with a military legal assistance office.

#### *Civil-Law Notaries*

- For information about Florida civil-law notary appointment, please visit <http://notaries.dos.state.fl.us/civil.html>.

# **Apostille Certification: Authentication of Notarized Documents by the Secretary of State**

- Pursuant to Section 15.16(7), Florida Statutes:
  - “The Secretary of State may issue apostilles conforming to the requirements of the international treaty known as the Hague Convention of 1961 and may charge a fee for the issuance of apostilles not to exceed \$10 per apostille. The Secretary of State has the sole authority in this state to establish, in accordance with the laws of the United States, the requirements and procedures for the issuance of apostilles.”
- Pursuant to Section 117.103, Florida Statutes:
  - “A notary public is not required to record his or her notary public commission in an office of a clerk of the circuit court. If certification of the notary public’s commission is required, it must be obtained from the Secretary of State. Upon the receipt of a written request and a fee of \$10 payable to the Secretary of State, the Secretary of State shall issue a certificate of notarial authority, in a form prescribed by the Secretary of State, which shall include a statement explaining the legal qualifications and authority of a notary public in this state.”
- The Secretary of State will Apostille or recognize the commission of a Florida notary or a Florida elected official for the following documents:
  - Original notarized documents that have been correctly notarized in English or that have been certified as true copies by a Florida notary public.
    - Please see Chapter 117, Florida Statutes, for information regarding documents that may or may not be notarized by Florida notaries public.
  - School transcripts from Florida public schools and universities that have had the signature of the school registrar or issuing official notarized at the time of issuance. These documents may not be printed and notarized by an individual.
  - Birth, Death and Marriage Certificates bearing the signature of the State Registrar, who is currently Ken Jones, obtained from the Florida Bureau of Vital Statistics in Jacksonville Florida. For their contact information, fees and procedures, or to determine whether your document is an original, you will need to visit the Bureau of Vital Statistics website at:
    - [www.doh.state.fl.us/planning\\_eval/vital\\_statistics/birth\\_death.htm](http://www.doh.state.fl.us/planning_eval/vital_statistics/birth_death.htm)
  - Please note that records obtained from local health departments are not acceptable.
  - Vehicle Titles certified by the Florida Department of Motor Vehicles. For their phone number and fee information, please go to the following website: [www.hsmv.state.fl.us](http://www.hsmv.state.fl.us)
  - Original certified copies of documents filed with the Division of Corporations or original Certificates of Status bearing the signature of the Secretary of State. Fees for corporate certification and apostille/notarial certification, when requested at the same time, will need to be paid separately and not all together in one check or money order. Cash will not be accepted.
  - Documents certified by a Clerk of Circuit Court from a county within Florida, such as a marriage license or a divorce document bearing the stamp and seal of the Clerk.
  - Please note:
    - Documents must be submitted with original signatures; a photocopy of an original cannot be authenticated.
    - The Florida Department of State cannot apostille or issue notarial certification for any document(s) that is/are issued by anyone other than a Florida notary or elected or appointed official. Federal documents must be processed by the United States Department of State.

## *Certification Fees*

- Do not send cash.
- The Department of State’s Apostille Certification Section cannot accept incorrect fees or payment for additional postage.

- Please note that checks or money orders made payable to the Department of State are the only acceptable forms of payment to this office.
- The fee for a notarial or apostille certification by the Secretary of State is \$10 per notarized document.
- The fee for apostille certification of original certified copies of documents, such as a marriage license or a divorce document, obtained from the Clerk of Circuit Court are \$20 per document. You must contact the Clerk of Circuit Court to obtain these documents as we do not provide them.
- Certified copies of original birth/death/marriage records obtained from the Bureau of Vital Statistics in Jacksonville, Florida that are signed by the state registrar (the current state registrar is Ken Jones) are \$10 per document. Please note that records obtained from local health departments are not acceptable.

*Processing Time*

- The processing time varies dependent upon the volume of work received and the resources available. We advise you to allow at least five (5) working/business days (Monday through Friday) for processing. Requests are completed in the date order they are received. We do not offer expedited services.

*Procedures*

- Please follow these procedures carefully to enable our staff to process your request without delay:
  - Enclose a cover letter stating the name of the country in which the documents will be used. The country name is needed in order to authenticate the document correctly, whether by Certificate of Notarial Authority or Apostille.
  - Enclose the required fee. (See "Certification Fees" above)
  - You may enclose a self-addressed, stamped envelope for return of the documents. If you wish the order to be returned by a courier service, you must enclose a pre-paid air bill with your order that is preaddressed from you and to you. [No collect or cash on delivery (COD) mail or air bills can be sent from this office.]
  - If you are using U.S. Mail, please use this address:

**Department of State  
Division of Corporations  
Apostille Certification  
P.O. Box 6800  
Tallahassee, FL 32314-6800**

Please note: When using oversized envelopes, please insure the proper postage is affixed. All postage due envelopes are held in the post office for 4 to 6 weeks before being delivered. Please address inquiries to the USPS regarding documents being held for additional postage or that have been lost or misdirected after leaving this office.

- If you are using a courier service, please use our physical address as courier service packages cannot be delivered to the post office box.

Please note: This is also the address where we are located, if you chose to come in person, where you may wait for your request to be completed. No appointment is necessary.

**Division of Corporations  
2415 North Monroe Street,  
Suite 810  
Tallahassee, FL 32303  
(850) 245-6945**

Appendix A

# Change of Home or Business Address

Pursuant to Section 117.01(2), Florida Statutes, all notaries public must report any change in their home or business address or telephone number in writing to the Department of State within 60 days of the change. If you have a change to report, please complete and mail the below form to:

**Department of State  
Notary Commissions and Certifications Section  
P.O. Box 6327  
Tallahassee, FL 32314**

Commissioned Name: _____	Commission Number: _____
Date of Birth: _____	Expiration Date: _____
Home Address: _____ _____ _____	Business Name and Address: _____ _____ _____
Home Telephone Number: (        ) _____	Business Telephone: (        ) _____

Appendix B

# Moving Out-of-State Required Resignation

Pursuant to Section 117.01(1), Florida Statutes, Florida notaries public must maintain the required residence in the state of Florida during the entire term of the appointment. If you are no longer a legal resident of Florida, you must submit your resignation to the Governor immediately. Please complete and mail the below form, along with your notary public commission certificate, to:

**Executive Office of the Governor  
Notary Section  
2415 North Monroe Street,  
Suite 810  
Tallahassee, FL 32303**

Commissioned Name: _____	Commission Number: _____
Date of Birth: _____	Expiration Date: _____
Home Address: _____ _____ _____	Business Name and Address: _____ _____ _____
Home Telephone Number: (      ) _____	Business Telephone: (      ) _____

Dear Governor,

Due to \_\_\_\_\_, I am resigning my notary public commission,  
effective \_\_\_\_\_.

(DATE)

Additionally, I have destroyed my notary public seal and am returning my notary public commission certificate.

Sincerely,

\_\_\_\_\_

Appendix C

# General Use Resignation

To resign your Florida notary public commission for any reason other than a move out of the state of Florida, please complete and mail the below form, along with your notary public commission certificate, to:

**Executive Office of the Governor  
Notary Section  
2415 North Monroe Street,  
Suite 810  
Tallahassee, FL 32303**

Commissioned Name: _____	Commission Number: _____
Date of Birth: _____	Expiration Date: _____
Home Address: _____ _____ _____	Business Name and Address: _____ _____ _____
Home Telephone Number: (     ) _____	Business Telephone: (     ) _____

Dear Governor,

Due to \_\_\_\_\_, I am resigning my notary public commission,  
effective \_\_\_\_\_.  
(DATE)

Additionally, I have destroyed my notary public seal and am returning my notary public commission certificate.

Sincerely,

\_\_\_\_\_