



May 6, 2020

Pennsylvania Extends Appointment Deadlines for Notaries

The Revised Uniform Law on Notarial Acts requires all appointed notaries to obtain a bond, take an oath of office and record the bond, oath and their commission at the Recorder of Deeds Office in the county in which the notary public maintains an office. Appointees must also register their official signatures with the Prothonotary's Office of that county. These actions must occur within 45 days for a notary to receive their four-year commission and perform notarial acts.

Due to the COVID-19 emergency, many Recorder and Prothonotary offices were closed or limited their hours, and some offices remain closed. Additionally, as a result of the COVID-19 emergency, the Department of State has not appointed or reappointed notaries since March 11, 2020, due to staffing limitations and the closure of Recorder and Prothonotary offices. With the gradual reopening of the commonwealth, the department plans to resume notary appointments.

The Recorder of Deeds offices are a critical partner in this reopening, because they need to be able to record the executed notary bond, commission and oath within 45 days of appointment. Prothonotary offices also need to be open to register notaries' official signatures within 45 days of appointment.

New Notaries

- For new appointees, the 45-day deadline begins with the date of appointment.
- When the notary records the bond, oath and commission and registers the official signature, the four-year commission begin date is retroactive to the appointment date.
- If the notary misses the 45-day deadline for recording, the notary public's commission becomes null and void.
- New notaries and notaries who do not hold a commission when they are appointed may not act as a notary until the bond, oath and commission are recorded.

Renewing Notaries

- For renewing notaries, the 45-day deadline begins with the current commission expiration date.
- When the notary records the bond, oath and commission and registers the official signature, the four-year commission begin date is retroactive to the appointment date.
- If the notary misses the 45-day deadline for recording or registering the signature, the notary public's commission becomes null and void.
- Reappointed notaries whose current commission expires during the course of the 45-days similarly should not notarize or act as a notary public until the renewal process has been fully completed by recording the bond, oath and commission.

If the Recorder's office is closed (by weekend, snow or as ordered by the Governor, Secretary of Health, and/or county officials), the 45-day timeline is extended to the next business day by operation of law. Long-term closures mean long-term extensions of time. However, it is not in keeping with public health and safety for notary appointees to flood into Recorders and Prothonotary offices when these offices reopen.

Therefore, the Department of State requested, and the Governor approved, **an extension of the 45-day deadline for appointed notaries to get sworn in and record the bond/oath/commission with the Recorder of Deeds and to register the notary signature with the Prothonotary**, up to an additional 30 days. This extension will apply to all notaries whose 45 days expired or will expire on or after March 1 until the end of the disaster declaration. Because notaries have varied expiration dates, the 30 days will calculate for each notary differently. For counties that the Recorder or Deeds or Prothonotary is still closed, the 30 days will also take into account and be based on the date the associated Recorder and Prothonotary offices reopen.