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CHAPTER 240 - NOTARIES PUBLIC AND COMMISSIONED ABSTRACTERS

NOTARIES PUBLIC

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NOTARIES PUBLIC

General Provisions

NRS 240.001 Definitions. As used in [NRS 240.001](#) to [240.206](#), inclusive, unless the context otherwise requires, the words and terms defined in [NRS 240.002](#) to [240.0067](#), inclusive, have the meanings ascribed to them in those sections.

(Added to NRS by [1995, 187](#); A [1997, 930](#); [1999, 74](#); [2001, 652](#); [2003, 606](#); [2005, 2274](#); [2009, 3026](#); [2013, 1376](#); [2017, 1514](#))

NRS 240.002 “Acknowledgment” defined. “Acknowledgment” means a declaration by a person that he or she has executed an instrument for the purposes stated therein and, if the instrument is executed in a representative capacity, that the person signed the instrument with proper authority and executed it as the act of the person or entity represented and identified therein.

(Added to NRS by [1995, 187](#))

NRS 240.0025 “Credible witness” defined. “Credible witness” means a person who:

1. Swears or affirms that the signer of a document is the person whom he or she claims to be; and
2. Is known personally to the signer of the document and the notarial officer.

(Added to NRS by [2003, 606](#))

NRS 240.0028 “Domestic partners” defined. “Domestic partners” has the meaning ascribed to it in [NRS 122A.030](#).

(Added to NRS by [2013, 1375](#))

NRS 240.003 “In a representative capacity” defined. “In a representative capacity” means:

1. For and on behalf of a corporation, partnership, trust or other entity, as an authorized officer, agent, partner, trustee or other representative;
2. As a public officer, personal representative, guardian or other representative, in the capacity recited in the instrument;
3. As an attorney-in-fact for a principal; or
4. In any other capacity as an authorized representative of another.

(Added to NRS by [1995, 188](#))

NRS 240.0035 “Jurat” defined. “Jurat” means a declaration by a notarial officer that the signer of a document signed the document in the presence of the notarial officer and swore to or affirmed that the statements in the document are true.

(Added to NRS by [2003, 606](#))

NRS 240.004 “Notarial act” defined. “Notarial act” means an act that a notarial officer of this state is authorized to perform. The term includes:

1. Taking an acknowledgment;
2. Administering an oath or affirmation;
3. Certifying a copy;
4. Executing a jurat;
5. Noting a protest of a negotiable instrument; and
6. Performing such other duties as may be prescribed by a specific statute.

(Added to NRS by [1995, 188](#); A [1995, 1597](#); [1997, 930](#); [2003, 606](#))

NRS 240.005 “Notarial officer” defined. “Notarial officer” means a notary public or an officer authorized to perform notarial acts.

(Added to NRS by [1995, 188](#))

NRS 240.0055 “Notarial record” defined. “Notarial record” means:

1. The journal that a notary public is required to keep pursuant to [NRS 240.120](#);
2. The journal that an electronic notary public is required to keep pursuant to [NRS 240.201](#); and
3. A document or other evidence retained by a notary public or an electronic notary public to record the performance of a notarial act or an electronic notarial act.

(Added to NRS by [2009, 3018](#))

NRS 240.0063 “Notary public” defined. “Notary public” means a person appointed to perform a notarial act by the Secretary of State pursuant to [NRS 240.010](#).

(Added to NRS by [2013, 1375](#))

NRS 240.0065 “Person” defined. “Person” means a natural person.

(Added to NRS by [2013, 1375](#))

NRS 240.0067 “State” defined. “State” means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands or any territory or insular possession subject to the jurisdiction of the United States.

(Added to NRS by [2013, 1375](#))

NRS 240.007 Information and documents filed with or obtained by Secretary of State: Public examination; confidentiality; disclosure.

1. Except as otherwise provided in subsections 2 and 3, information and documents filed with or obtained by the Secretary of State pursuant to [NRS 240.001](#) to [240.206](#), inclusive, are public information and are available for public examination.

2. Information and documents filed with or obtained by the Secretary of State pursuant to or in accordance with subsection 3 of [NRS 240.010](#) are not public information and are confidential.

3. Except as otherwise provided in subsections 4 and 5 and in [NRS 239.0115](#), information and documents obtained by or filed with the Secretary of State in connection with an investigation concerning a possible violation of the provisions of [NRS 240.001](#) to [240.206](#), inclusive, are not public information and are confidential.

4. The Secretary of State may submit any information or evidence obtained in connection with an investigation concerning a possible violation of the provisions of [NRS 240.001](#) to [240.206](#), inclusive, to the appropriate district attorney for the purpose of prosecuting a criminal action.

5. The Secretary of State may disclose any information or documents obtained in connection with an investigation concerning a possible violation of the provisions of [NRS 240.001](#) to [240.206](#), inclusive, to an agency of this State or a political subdivision of this State.

(Added to NRS by [1999, 74](#); A [2005, 2274](#); [2007, 2066](#); [2009, 3026](#))

Appointment and Practice

NRS 240.010 Appointment by Secretary of State; cancellation of appointment; unlawful acts; injunctive relief.

1. The Secretary of State may appoint notaries public in this State.
2. The Secretary of State shall not appoint as a notary public a person:
 - (a) Who submits an application containing a substantial and material misstatement or omission of fact.
 - (b) Whose previous appointment as a notary public in this State or another state has been revoked for cause.
 - (c) Who, except as otherwise provided in subsection 3, has been convicted of, or entered a plea of guilty, guilty but mentally ill or nolo contendere to:
 - (1) A crime involving moral turpitude; or
 - (2) Burglary, conversion, embezzlement, extortion, forgery, fraud, identity theft, larceny, obtaining money under false pretenses, robbery or any other crime involving misappropriation of the identity or property of another person or entity,

↳ if the Secretary of State is aware of such a conviction or plea before the Secretary of State makes the appointment.

(d) Against whom a complaint that alleges a violation of a provision of this chapter is pending.

(e) Who has not submitted to the Secretary of State proof satisfactory to the Secretary of State that the person has enrolled in and successfully completed a course of study provided pursuant to [NRS 240.018](#).

3. A person who has been convicted of, or entered a plea of guilty, guilty but mentally ill or nolo contendere to, a crime involving moral turpitude may apply for appointment as a notary public if the person provides proof

satisfactory to the Secretary of State that:

- (a) More than 10 years have elapsed since the date of the person's release from confinement or the expiration of the period of his or her parole, probation or sentence, whichever is later;
- (b) The person has made complete restitution for his or her crime involving moral turpitude, if applicable;
- (c) The person possesses his or her civil rights; and
- (d) The crime for which the person was convicted or entered a plea is not one of the crimes enumerated in subparagraph (2) of paragraph (c) of subsection 2.

4. A notary public may cancel his or her appointment by submitting a written notice to the Secretary of State.

5. It is unlawful for a person to:

(a) Represent himself or herself as a notary public appointed pursuant to this section if the person has not received a certificate of appointment from the Secretary of State pursuant to this chapter, or if his or her appointment is expired, revoked or suspended or is otherwise not in good standing.

(b) Submit an application for appointment as a notary public that contains a substantial and material misstatement or omission of fact.

(c) Violate any provision of this chapter, including, without limitation, the provisions of [NRS 240.085](#).

6. Any person who violates a provision of paragraph (a) of subsection 5 is liable for a civil penalty of not more than \$2,000 for each violation, plus reasonable attorney's fees and costs.

7. Any person who is aware of a violation of this chapter by a notary public or a person applying for appointment as a notary public may file a complaint with the Secretary of State setting forth the details of the violation that are known by the person who is filing the complaint.

8. The Secretary of State may request that the Attorney General bring an action to enjoin any violation of paragraph (a) of subsection 5 and recover any penalties, attorney's fees and costs.

[1:22:1907; RL § 2762; NCL § 4732] + [Part 1:108:1866; B § 2599; BH § 1636; C § 1782; RL § 2765; NCL § 4765] + [4:22:1907; added [1913, 31](#); 1919 RL § 2764; NCL § 4735]—(NRS A [1959, 220](#); [1975, 1519](#); [1979, 24](#); [1995, 190](#); [1997, 930](#); [2005, 2275](#); [2007, 1097](#); [2009, 3027](#); [2015, 928](#), [2615](#))

NRS 240.015 General qualifications; conditions for appointment of resident of adjoining state.

1. Except as otherwise provided in this section, a person appointed as a notary public must:

- (a) Be a resident of this State.
- (b) Be at least 18 years of age.
- (c) Possess his or her civil rights.
- (d) Have completed a course of study pursuant to [NRS 240.018](#).

2. The Secretary of State may appoint a person who resides in an adjoining state as a notary public if the person:

(a) Maintains a place of business in the State of Nevada that is registered pursuant to [chapter 76](#) of NRS and any applicable business licensing requirements of the local government where the business is located; or

(b) Is regularly employed at an office, business or facility located within the State of Nevada by an employer registered to do business in this State.

↳ If such a person ceases to maintain a place of business in this State or regular employment at an office, business or facility located within this State, the Secretary of State may suspend the person's appointment. The Secretary of State may reinstate an appointment suspended pursuant to this subsection if the notary public submits to the Secretary of State, before his or her term of appointment as a notary public expires, the information required pursuant to subsection 2 of [NRS 240.030](#).

(Added to NRS by [1985, 1204](#); A [1993, 261](#); [1995, 190](#); [1997, 931](#); [2005, 1581](#); [2009, 3027](#); [2015, 929](#); [2019, 4337](#))

NRS 240.0155 Prohibition on collecting social security numbers or alternative personally identifying number from notary public or applicant for appointment as notary public. The Secretary of State shall not collect the social security number or an alternative personally identifying number, including, without limitation, an individual taxpayer identification number, from a notary public or an applicant for appointment as a notary public.

(Added to NRS by [2019, 4337](#))

NRS 240.017 Regulations of Secretary of State. The Secretary of State:

1. May adopt regulations:
 - (a) Prescribing the procedure for the appointment and mandatory training of a notary public.
 - (b) Establishing procedures for the notarization of digital or electronic signatures.
2. Shall adopt regulations prescribing the form of each affidavit required pursuant to subsection 2 of [NRS](#)

[240.030](#).

(Added to NRS by [1985, 1204](#); A [1995, 191](#); [1997, 931](#); [2001, 652](#); [2007, 1098](#))

NRS 240.018 Courses of study for mandatory training of notaries public; fees; persons required to enroll in and successfully complete course of study; Notary Public Training Account; disposition of excess

fees.

1. The Secretary of State may:
 - (a) Provide courses of study for the mandatory training of notaries public. Such courses of study:
 - (1) Must include at least 3 hours of instruction and an examination relating to the functions and duties of notaries public; and
 - (2) May be conducted in person or online by the Secretary of State or a vendor approved by the Secretary of State.
 - (b) Charge a reasonable fee to each person who enrolls in a course of study for the mandatory training of notaries public.
2. A course of study provided pursuant to this section must comply with the regulations adopted pursuant to subsection 1 of [NRS 240.017](#).
3. The following persons are required to enroll in and successfully complete a course of study provided pursuant to this section:
 - (a) A person applying for appointment as a notary public for the first time.
 - (b) A person renewing his or her appointment as a notary public.
 - (c) A person who has committed a violation of this chapter or whose appointment as a notary public has been suspended, and who has been required by the Secretary of State to enroll in a course of study provided pursuant to this section.
4. The Secretary of State shall deposit the fees collected pursuant to paragraph (b) of subsection 1 in the Notary Public Training Account which is hereby created in the State General Fund. The Account must be administered by the Secretary of State. Any interest and income earned on the money in the Account, after deducting any applicable charges, must be credited to the Account. Any money remaining in the Account at the end of a fiscal year does not revert to the State General Fund, and the balance in the Account must be carried forward. All claims against the Account must be paid as other claims against the State are paid. The money in the Account may be expended:
 - (a) To pay for expenses related to providing courses of study for the mandatory training of notaries public, including, without limitation, the rental of rooms and other facilities, advertising, travel and the printing and preparation of course materials; or
 - (b) For any other purpose authorized by the Legislature.
5. At the end of each fiscal year, the Secretary of State shall reconcile the amount of the fees collected pursuant to paragraph (b) of subsection 1 and the expenses related to administering the training of notaries public pursuant to this chapter and deposit any excess fees received with the State Treasurer for credit to the State General Fund.
(Added to NRS by [2001, 651](#); A [2007, 1098](#); [2010, 26th Special Session, 6, 87](#); [2011, 443](#); [2013, 3475](#); [2015, 929](#))

NRS 240.020 Powers limited to areas within this State; term of office. A person appointed as a notary public pursuant to this chapter may perform notarial acts in any part of this state for a term of 4 years, unless sooner removed. Such an appointment or registration as an electronic notary public pursuant to [NRS 240.192](#) does not authorize the person to perform notarial acts in another state.

[Part 2:22:1907; RL § 2763; NCL § 4733]—(NRS A [1975, 1519](#); [1997, 931](#); [2017, 80](#))

NRS 240.030 Application for appointment; oath and bond; fingerprints; additional requirements for resident of adjoining state; commencement of term; fee for original, duplicate or amended certificate of appointment.

1. Each person applying for appointment as a notary public must:
 - (a) At the time the applicant submits his or her application, pay to the Secretary of State \$35.
 - (b) Take and subscribe to the oath set forth in [Section 2 of Article 15](#) of the Constitution of the State of Nevada as if the applicant were a public officer.
 - (c) Submit to the Secretary of State proof satisfactory to the Secretary of State that the applicant has enrolled in and successfully completed a course of study provided pursuant to [NRS 240.018](#).
 - (d) Enter into a bond to the State of Nevada in the sum of \$10,000, to be filed with the clerk of the county in which the applicant resides or, if the applicant is a resident of an adjoining state, with the clerk of the county in this State in which the applicant maintains a place of business or is employed. The applicant must submit to the Secretary of State a certificate issued by the appropriate county clerk which indicates that the applicant filed the bond required pursuant to this paragraph.
 - (e) Submit to the Secretary of State a declaration under penalty of perjury stating that the applicant has not had an appointment as a notary public revoked or suspended in this State or any other state or territory of the United States.
 - (f) If required by the Secretary of State, submit:
 - (1) A complete set of the fingerprints of the applicant and written permission authorizing the Secretary of State to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report; and

(2) A fee established by regulation of the Secretary of State which must not exceed the sum of the amounts charged by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation for processing the fingerprints.

2. In addition to the requirements set forth in subsection 1, an applicant for appointment as a notary public who resides in an adjoining state must submit to the Secretary of State with the application:

(a) An affidavit setting forth the adjoining state in which the applicant resides, the applicant's mailing address and the address of the applicant's place of business or employment that is located within the State of Nevada;

(b) A copy of the applicant's state business license issued pursuant to [chapter 76](#) of NRS and any business license required by the local government where the business is located, if the applicant is self-employed; and

(c) Unless the applicant is self-employed, a copy of the state business license of the applicant's employer, a copy of any business license of the applicant's employer that is required by the local government where the business is located and an affidavit from the applicant's employer setting forth the facts which show that the employer regularly employs the applicant at an office, business or facility which is located within the State of Nevada.

3. In completing an application, bond, oath or other document necessary to apply for appointment as a notary public, an applicant must not be required to disclose his or her residential address or telephone number on any such document which will become available to the public.

4. The bond, together with the oath, must be filed and recorded in the office of the county clerk of the county in which the applicant resides when the applicant applies for the appointment or, if the applicant is a resident of an adjoining state, with the clerk of the county in this State in which the applicant maintains a place of business or is employed. On a form provided by the Secretary of State, the county clerk shall immediately certify to the Secretary of State that the required bond and oath have been filed and recorded. Upon receipt of the application, fee and certification that the required bond and oath have been filed and recorded, the Secretary of State shall issue a certificate of appointment as a notary public to the applicant.

5. The term of a notary public commences on the effective date of the bond required pursuant to paragraph (d) of subsection 1. A notary public shall not perform a notarial act after the effective date of the bond unless the notary public has been issued a certificate of appointment.

6. Except as otherwise provided in this subsection, the Secretary of State shall charge a fee of \$10 for each duplicate or amended certificate of appointment which is issued to a notary. If the notary public does not receive an original certificate of appointment, the Secretary of State shall provide a duplicate certificate of appointment without charge if the notary public requests such a duplicate within 60 days after the date on which the original certificate was issued.

[2:39:1864; A 1865, 407; [1883, 82](#); [1949, 69](#); 1943 NCL § 4715] + [3:39:1864; A [1911, 361](#); RL § 2746; NCL § 4716]—(NRS A [1973, 386](#); [1979, 77](#); [1981, 325](#); [1983, 706](#); [1985, 1205](#); [1987, 1113](#); [1989, 148](#); [1995, 191, 1595](#); [1997, 931](#); [1999, 74](#); [2001, 652](#); [2007, 44, 1099](#); [2009, 3028](#); [2011, 1608](#); [2015, 2616](#))

NRS 240.031 Annual submission of copy of business license by resident of adjoining state. A notary public who is a resident of an adjoining state shall submit to the Secretary of State annually, within 30 days before the anniversary date of his or her appointment as a notary public, a copy of the state business license of the place of employment of the notary public in the State of Nevada issued pursuant to [chapter 76](#) of NRS, a copy of any license required by the local government where the business is located and the information required pursuant to subsection 2 of [NRS 240.030](#).

(Added to NRS by [1997, 929](#); A [2009, 3029](#))

NRS 240.033 Requirements for bond; notification of exhaustion of penal sum; release of surety; suspension of appointment; reinstatement of appointment.

1. The bond required to be filed pursuant to [NRS 240.030](#) must be executed by the person applying to become a notary public as principal and by a surety company qualified and authorized to do business in this State. The bond must be made payable to the State of Nevada and be conditioned to provide indemnification to a person determined to have suffered damage as a result of an act by the notary public which violates a provision of [NRS 240.001](#) to [240.169](#), inclusive or, if applicable, an act by the electronic notary public which violates a provision of [NRS 240.001](#) to [240.206](#), inclusive. The surety company shall pay a final, nonappealable judgment of a court of this State that has jurisdiction, upon receipt of written notice of final judgment. The bond may be continuous but, regardless of the duration of the bond, the aggregate liability of the surety does not exceed the penal sum of the bond.

2. If the penal sum of the bond is exhausted, the surety company shall notify the Secretary of State in writing within 30 days after its exhaustion.

3. The surety bond must cover the period of the appointment of the notary public, except when a surety is released.

4. A surety on a bond filed pursuant to [NRS 240.030](#) may be released after the surety gives 30 days' written notice to the Secretary of State and notary public, but the release does not discharge or otherwise affect a claim filed by a person for damage resulting from an act of the notary public which is alleged to have occurred while the bond was in effect.

5. The appointment of a notary public is suspended by operation of law when the notary public is no longer covered by a surety bond as required by this section and [NRS 240.030](#) or the penal sum of the bond is exhausted. If the Secretary of State receives notice pursuant to subsection 4 that the bond will be released or pursuant to subsection 2 that the penal sum of the bond is exhausted, the Secretary of State shall immediately notify the notary public in writing that his or her appointment will be suspended by operation of law until another surety bond is filed in the same manner and amount as the bond being terminated.

6. The Secretary of State may reinstate the appointment of a notary public whose appointment has been suspended pursuant to subsection 5, if the notary public, before his or her current term of appointment expires:

(a) Submits to the Secretary of State:

(1) An application for an amended certificate of appointment as a notary public; and

(2) A certificate issued by the clerk of the county in which the applicant resides or, if the applicant is a resident of an adjoining state, the county in this State in which the applicant maintains a place of business or is employed, which indicates that the applicant filed a new surety bond with the clerk.

(b) Pays to the Secretary of State a fee of \$10.

(Added to NRS by [1995, 189](#); A [1997, 933](#); [2005, 2275](#); [2017, 80](#))

NRS 240.036 Amended certificate of appointment: Required for certain changes in information; suspension for failure to obtain; fee; issuance.

1. If, at any time during his or her appointment, a notary public changes his or her mailing address, county of residence or signature or, if the notary public is a resident of an adjoining state, changes his or her place of business or employment, the notary public shall submit to the Secretary of State a request for an amended certificate of appointment on a form provided by the Secretary of State. The request must:

(a) Include the new information;

(b) Be submitted within 30 days after making that change; and

(c) Be accompanied by a fee of \$10.

2. The Secretary of State may suspend the appointment of a notary public who fails to provide to the Secretary of State notice of a change in any of the information specified in subsection 1.

3. If a notary public changes his or her name during his or her appointment and the notary public intends to use his or her new name in the performance of notarial duties, the notary public shall submit to the Secretary of State a request for an amended certificate of appointment on a form provided by the Secretary of State. The request must:

(a) Include the new name and signature and the address of the notary public;

(b) Be submitted within 30 days after making the change; and

(c) Be accompanied by a fee of \$10.

4. Upon receipt of a request for an amended certificate of appointment and the appropriate fee, the Secretary of State shall issue an amended certificate of appointment.

5. When the notary public receives the amended certificate of appointment, the notary public shall:

(a) Destroy his or her notary's stamp and obtain a new notary's stamp which includes the information on the amended certificate.

(b) Notify the surety company which issued his or her bond of the changes.

(Added to NRS by [1995, 188](#); A [1997, 933](#))

NRS 240.040 Use of stamp; embossed notarial seal not required; requirements of stamp; storage of stamp.

1. The statement required by paragraph (d) of subsection 1 of [NRS 240.1655](#) must:

(a) Be imprinted in indelible, photographically reproducible ink with a rubber or other mechanical stamp; and

(b) Set forth:

(1) The name of the notary public;

(2) The phrase "Notary Public, State of Nevada";

(3) The date on which the appointment of the notary public expires;

(4) The number of the certificate of appointment of the notary public;

(5) If the notary public so desires, the Great Seal of the State of Nevada; and

(6) If the notary public is a resident of an adjoining state, the word "nonresident."

2. After July 1, 1965, an embossed notarial seal is not required on notarized documents.

3. The stamp required pursuant to subsection 1 must:

(a) Be a rectangle, not larger than 1 inch by 2 1/2 inches, and may contain a border design; and

(b) Produce a legible imprint.

4. A notary public shall not affix his or her stamp over printed material.

5. A notary public shall keep his or her stamp in a secure location during any period in which the notary public is not using the stamp to perform a notarial act.

6. As used in this section, "mechanical stamp" includes an imprint made by a computer or other similar technology.

[10:39:1864; B § 339; BH § 2244; C § 2411; RL § 2753; NCL § 4723]—(NRS A [1965, 647](#); [1985, 1205](#); [1995, 191, 1596](#); [1997, 934](#); [2003, 606](#); [2011, 1610](#))

NRS 240.045 Replacement of lost or inoperable stamp; prerequisite to production of stamp.

1. If the stamp of a notary public is lost, the notary public shall, within 10 days after the stamp is lost, submit to the Secretary of State a request for an amended certificate of appointment, on a form provided by the Secretary of State, and obtain a new stamp in accordance with [NRS 240.036](#). The request must be accompanied by a fee of \$10.

2. If the stamp is destroyed, broken, damaged or otherwise rendered inoperable, the notary public shall immediately notify the Secretary of State of that fact and obtain a new stamp.

3. A person or governmental entity shall not make, manufacture or otherwise produce a notary's stamp unless the notary public presents his or her original or amended certificate of appointment or a certified copy of his or her original or amended certificate of appointment to that person or governmental entity.

(Added to NRS by [1995, 188](#); A [1997, 935](#))

NRS 240.051 Actions required upon resignation or death of notary public.

1. If a notary public resigns or dies during his or her appointment, the notary public, or the executor of the estate of the notary public, as appropriate, shall:

- (a) Notify the Secretary of State of the resignation or death; and
- (b) Destroy the notary's stamp.

2. Upon the receipt of the notice required by subsection 1, the Secretary of State shall cancel the appointment of the notary public, effective on the date on which the notice was received.

(Added to NRS by [1995, 189](#))

NRS 240.060 Powers of notary public. A notary public may, during normal business hours, perform notarial acts in lawful transactions for a person who requests the act and tenders the appropriate fee.

[Part 1911 CPA § 541; RL § 5483; NCL § 9030] + [4:39:1864; B § 333; BH § 2238; C § 2405; RL § 2747; NCL § 4717] + [5:39:1864; B § 334; BH § 2239; C § 2406; RL § 2748; NCL § 4718] + [6:39:1864; B § 335; BH § 2240; C § 2407; RL § 2749; NCL § 4719] + [7:39:1864; B § 336; BH § 2241; C § 2408; RL § 2750; NCL § 4720]—(NRS A [1985, 1206](#); [1987, 1303](#); [1995, 192, 1596](#); [2007, 45](#))

NRS 240.061 Performance of authorized notarial acts; restricted notarial acts.

1. A notarial officer may perform a notarial act authorized by [NRS 240.001](#) to [240.169](#), inclusive, or by law of this State other than [NRS 240.001](#) to [240.169](#), inclusive.

2. A notarial officer other than a notary public may not perform a notarial act with respect to a document to which the officer or the officer's spouse or domestic partner is a party, or in which either of them has a direct beneficial interest. A notary public may not perform a notarial act if the notarial act is prohibited by [NRS 240.001](#) to [240.169](#), inclusive. A notarial act performed in violation of this subsection is voidable.

(Added to NRS by [2013, 1375](#))

NRS 240.062 Personal knowledge of identity. For the purposes of [NRS 240.001](#) to [240.169](#), inclusive, a notarial officer has personal knowledge of the identity of a person appearing before the officer if the person is personally known to the officer through dealings sufficient to provide reasonable certainty that the person has the identity claimed.

(Added to NRS by [2013, 1375](#))

NRS 240.063 Evidentiary effect of signature; limitations on evidentiary effect of certification of documents.

1. The signature of a notary public on a document shall be deemed to be evidence only that the notary public knows the contents of the document that constitute the signature, execution, acknowledgment, oath, affirmation or affidavit.

2. When a notary public certifies that a document is a certified or true copy of an original document, the certification shall not be deemed to be evidence that the notary public knows the contents of the document.

(Added to NRS by [1997, 929](#); A [2003, 607](#))

NRS 240.065 Restrictions on powers of notary public; exceptions.

1. A notary public may not perform a notarial act if:

(a) The notary public executed or is named in the instrument acknowledged, sworn to or witnessed or attested;

(b) Except as otherwise provided in subsections 2 and 3, the notary public has or will receive directly from a transaction relating to the instrument or pleading a commission, fee, advantage, right, title, interest, property or other consideration in excess of the fee authorized pursuant to [NRS 240.100](#) for the notarial act;

(c) The notary public and the person whose signature is to be acknowledged, sworn to or witnessed or attested are domestic partners; or

(d) The person whose signature is to be acknowledged, sworn to or witnessed or attested is a relative of the domestic partner of the notary public or a relative of the notary public by marriage or consanguinity.

2. A notary public who is an attorney licensed to practice law in this State may perform a notarial act on an instrument or pleading if the notary public has or will receive directly from a transaction relating to the instrument or pleading a fee for providing legal services in excess of the fee authorized pursuant to [NRS 240.100](#) for the notarial act.

3. A notary public who is registered to engage in the business of a document preparation service may perform a notarial act on a document if the notary public has received or will receive directly from a transaction relating to the document a fee for providing document preparation services in addition to the fee authorized pursuant to [NRS 240.100](#) for the notarial act.

4. As used in this section, "relative" includes, without limitation:

(a) A spouse or domestic partner, parent, grandparent or stepparent;

(b) A natural born child, stepchild or adopted child;

(c) A grandchild, brother, sister, half brother, half sister, stepbrother or stepsister;

(d) A grandparent, parent, brother, sister, half brother, half sister, stepbrother or stepsister of the spouse or domestic partner of the notary public; and

(e) A natural born child, stepchild or adopted child of a sibling or half sibling of the notary public or of a sibling or half sibling of the spouse or domestic partner of the notary public.

(Added to NRS by [1985, 1205](#); A [1995, 192](#); [1997, 935](#); [2005, 67](#); [2013, 1376](#); [2021, 934](#))

NRS 240.075 Prohibited acts. A notary public shall not:

1. Influence a person to enter or not enter into a lawful transaction involving a notarial act performed by the notary public.

2. Certify an instrument containing a statement known by the notary public to be false.

3. Perform any act as a notary public with intent to deceive or defraud, including, without limitation, altering the journal that the notary public is required to keep pursuant to [NRS 240.120](#).

4. Endorse or promote any product, service or offering if his or her appointment as a notary public is used in the endorsement or promotional statement.

5. Certify photocopies of a certificate of birth, death or marriage or a divorce decree.

6. Allow any other person to use his or her notary's stamp.

7. Allow any other person to sign the notary's name in a notarial capacity.

8. Perform a notarial act on a document that contains only a signature.

9. Perform a notarial act on a document, including a form that requires the signer to provide information within blank spaces, unless the document has been filled out completely and has been signed.

10. Make or note a protest of a negotiable instrument unless the notary public is employed by a depository institution and the protest is made or noted within the scope of that employment. As used in this subsection, "depository institution" has the meaning ascribed to it in [NRS 657.037](#).

11. Affix his or her stamp to any document which does not contain a notarial certificate.

(Added to NRS by [1985, 1205](#); A [1987, 1114](#); [1995, 193](#); [2001, 653](#); [2011, 1610](#); [2015, 930](#))

NRS 240.085 Advertisements in language other than English to contain notice if notary public is not an attorney; use of certain non-English terms in advertisements prohibited; penalties.

1. Every notary public who is not an attorney licensed to practice law in this State and who advertises his or her services as a notary public in a language other than English by any form of communication, except a single plaque on his or her desk, shall post or otherwise include with the advertisement a notice in the language in which the advertisement appears. The notice must be of a conspicuous size, if in writing, and must appear in substantially the following form:

I AM NOT AN ATTORNEY IN THE STATE OF NEVADA. I AM NOT LICENSED TO GIVE
LEGAL ADVICE. I MAY NOT ACCEPT FEES FOR GIVING LEGAL ADVICE.

2. A notary public who is not an attorney licensed to practice law in this State shall not use the term "notario," "notario publico," "licenciado" or any other equivalent non-English term in any form of communication that advertises his or her services as a notary public, including, without limitation, a business card, stationery, notice and sign.

3. If the Secretary of State finds a notary public guilty of violating the provisions of subsection 1 or 2, the Secretary of State shall:

(a) Suspend the appointment of the notary public for not less than 1 year.

(b) Revoke the appointment of the notary public for a third or subsequent offense.

(c) Assess a civil penalty of not more than \$2,000 for each violation.

4. Unless a greater penalty is provided pursuant to [NRS 240.175](#), a notary public who is found guilty in a criminal prosecution of violating subsection 1 or 2 shall be punished by a fine of not more than \$2,000.

5. An employer of a notary public shall not:

(a) Prohibit the notary public from meeting the requirements set forth in subsection 1; or

(b) Advertise using the term “notario,” “notario publico,” “licenciado” or any other equivalent non-English term in any form of communication that advertises notary public services, including, without limitation, a business card, stationery, notice and sign, unless the notary public under his or her employment is an attorney licensed to practice law in this State.

6. If the Secretary of State finds the employer of a notary public guilty of violating a provision of subsection 5, the Secretary of State shall:

- (a) Notify the employer in writing of the violation and order the immediate removal of such language.
- (b) Assess a civil penalty of not more than \$2,000 for each violation.

7. Unless a greater penalty is provided pursuant to [NRS 240.175](#), the employer of a notary public who is found guilty in a criminal prosecution of violating a provision of subsection 5 shall be punished by a fine of not more than \$2,000.

(Added to NRS by [1983, 307](#); A [1985, 1206](#); [2005, 68](#); [2015, 931, 2618](#); [2017, 1515](#))

NRS 240.100 Fees for services; additional fees for travel expenses; notarial acts performed within and outside scope of employment.

1. Except as otherwise provided in subsection 3, a notary public may charge the following fees and no more:

For taking an acknowledgment, for the first signature of each signer.....	\$15.00
For each additional signature of each signer.....	7.50
For administering an oath or affirmation.....	7.50
For a certified copy.....	7.50
For a jurat, for each signature on the affidavit.....	15.00
For performing a marriage ceremony.....	75.00

2. All fees prescribed in this section are payable in advance, if demanded.

3. A notary public may charge an additional fee for traveling to perform a notarial act if:

- (a) The person requesting the notarial act asks the notary public to travel;
- (b) The notary public explains to the person requesting the notarial act that the fee is in addition to the fee authorized in subsection 1 and is not required by law;

(c) The person requesting the notarial act agrees in advance upon the hourly rate that the notary public will charge for the additional fee; and

(d) The additional fee does not exceed:

(1) If the person requesting the notarial act asks the notary public to travel between the hours of 6 a.m. and 7 p.m., \$15 per hour.

(2) If the person requesting the notarial act asks the notary public to travel between the hours of 7 p.m. and 6 a.m., \$30 per hour.

↳ The notary public may charge a minimum of 2 hours for such travel and shall charge on a pro rata basis after the first 2 hours.

4. A notary public is entitled to charge the amount of the additional fee agreed to in advance by the person requesting the notarial act pursuant to subsection 3 if:

(a) The person requesting the notarial act cancels the request after the notary public begins his or her travel to perform the requested notarial act.

(b) The notary public is unable to perform the requested notarial act as a result of the actions of the person who requested the notarial act or any other person who is necessary for the performance of the notarial act.

5. For each additional fee that a notary public charges for traveling to perform a notarial act pursuant to subsection 3, the notary public shall enter in the journal that he or she keeps pursuant to [NRS 240.120](#):

(a) The amount of the fee; and

(b) The date and time that the notary public began and ended such travel.

6. A person who employs a notary public may prohibit the notary public from charging a fee for a notarial act that the notary public performs within the scope of the employment. Such a person shall not require the notary public whom the person employs to surrender to the person all or part of a fee charged by the notary public for a notarial act performed outside the scope of the employment of the notary public.

[17:39:1864; B § 346; BH § 2251; C § 2418; RL § 2760; NCL § 4730] + [1:94:1865; B § 2735; BH § 2318; C § 2457; RL § 1994; NCL § 2925] + [1:49:1883; BH § 2342; C § 2468; RL § 2005; NCL § 2936] + [15:94:1865; B § 2749; BH § 2329; C § 2467; RL § 2004; NCL § 2935] + [16:49:1883; A [1889, 39](#); C § 2481; RL § 2018; NCL § 2949] + [Part 25:49:1883; BH § 2366; C § 2490; RL § 2027; NCL § 2958]—(NRS A [1981, 325](#); [1985, 1207](#); [1993, 261](#); [1995, 193](#); [1997, 935](#); [1999, 76](#); [2003, 607](#); [2013, 1199](#); [2019, 28](#); [2021, 935](#))

NRS 240.110 Posting of table of fees. If a notary public charges fees for performing notarial acts, the notary public shall publish and set up in some conspicuous place in his or her office a table of those fees, according to this chapter, for the inspection of all persons who have business in his or her office. The schedule must not be printed in smaller than 1/2-inch type. A notary public shall not charge fees unless the notary public has published and set up a table of fees in accordance with this subsection.

[Part 23:49:1883; BH § 2364; C § 2488; RL § 2025; NCL § 2956]—(NRS A [1985, 1207](#); [1995, 193](#); [1997, 936](#))

NRS 240.120 Journal of notarial acts: Duty to maintain; contents; verification based upon credible witness; copy of entry; storage; period of retention; report of loss or theft; exceptions.

1. Except as otherwise provided in subsection 2, each notary public shall keep a journal in his or her office in which the notary public shall enter for each notarial act performed, at the time the act is performed:

- (a) The fees charged, if any;
- (b) The title of the document;
- (c) The date on which the notary public performed the act;
- (d) Except as otherwise provided in subsection 3, the name and signature of the person whose signature is being notarized;
- (e) Subject to the provisions of subsection 4, a description of the evidence used by the notary public to verify the identification of the person whose signature is being notarized;
- (f) An indication of whether the notary public administered an oath; and
- (g) The type of certificate used to evidence the notarial act, as required pursuant to [NRS 240.1655](#).

2. A notary public may make one entry in the journal which documents more than one notarial act if the notarial acts documented are performed:

- (a) For the same person and at the same time; and
- (b) On one document or on similar documents.

3. When performing a notarial act for a person, a notary public need not require the person to sign the journal if:

- (a) The notary public has performed a notarial act for the person within the previous 6 months;
- (b) The notary public has personal knowledge of the identity of the person; and
- (c) The person is an employer or coworker of the notary public and the notarial act relates to a transaction performed in the ordinary course of the person's business.

4. If, pursuant to subsection 3, a notary public does not require a person to sign the journal, the notary public shall enter "known personally" as the description required to be entered into the journal pursuant to paragraph (e) of subsection 1.

5. If the notary verifies the identification of the person whose signature is being notarized on the basis of a credible witness, the notary public shall:

- (a) Require the witness to sign the journal in the space provided for the description of the evidence used; and
- (b) Make a notation in the journal that the witness is a credible witness.

6. The journal must:

- (a) Be open to public inspection.
- (b) Be in a bound volume with preprinted page numbers.

7. A notary public shall, upon request and payment of the fee set forth in [NRS 240.100](#), provide a certified copy of an entry in his or her journal.

8. A notary public shall keep his or her journal in a secure location during any period in which the notary public is not making an entry or notation in the journal pursuant to this section.

9. A notary public shall retain each journal that the notary public has kept pursuant to this section until 7 years after the date on which he or she ceases to be a notary public.

10. A notary public shall file a report with the Secretary of State and the appropriate law enforcement agency if the journal of the notary public is lost or stolen.

11. The provisions of this section do not apply to a person who is authorized to perform a notarial act pursuant to paragraph (b), (c), (d) or (e) of subsection 1 of [NRS 240.1635](#).

[Part 18:49:1883; BH § 2359; C § 2483; RL § 2020; NCL § 2951] + [Part 21:49:1883; BH § 2362; C § 2486; RL § 2023; NCL § 2954]—(NRS A [1967, 533](#); [1993, 262](#); [1995, 193](#), [1596](#); [1997, 936](#); [2001, 654](#); [2007, 46](#); [2011, 1611](#); [2013, 1376](#))

NRS 240.130 Only authorized fees to be charged. A notary public shall not charge a fee to perform a service unless the notary public is authorized to charge a fee for such a service pursuant to this chapter.

[17:49:1883; BH § 2358; C § 2482; RL § 2019; NCL § 2950] + [Part 21:49:1883; BH § 2362; C § 2486; RL § 2023; NCL § 2954]—(NRS A [1967, 533](#); [1997, 937](#))

NRS 240.143 Unlawful possession of certain personal property of notary public.

1. The following items are the personal property of a notary public:

- (a) His or her official stamp;
- (b) His or her journal; and
- (c) His or her certificate of appointment.

2. It is unlawful for a person who comes into possession of the official stamp, journal or certificate of appointment of a notary public to withhold such an item from the notary public, whether or not the person provided the notary public with the money to acquire the item.

(Added to NRS by [1997, 930](#))

NRS 240.145 Unlawful reproduction or use of completed notarial certificate; penalty.

1. It is unlawful for any person to:
 - (a) Photocopy or otherwise reproduce a completed notarial certificate with a notary's statement and signature if that certificate is reproduced for use in a mailing to endorse, promote or sell any product, service or offering; or
 - (b) Include a photocopy or other reproduction of a completed notarial certificate with a notary's statement and signature in a mailing to endorse, promote or sell any product, service or offering.
2. Unless a greater penalty is provided pursuant to [NRS 240.175](#), any person who violates any of the provisions of subsection 1 is guilty of a gross misdemeanor.
(Added to NRS by [1995, 189](#); A [2017, 1515](#))

NRS 240.147 Unlawful destruction, defacement or concealment of notarial record. It is unlawful for a person to knowingly destroy, deface or conceal a notarial record.
(Added to NRS by [1997, 930](#); A [2009, 3029](#))

NRS 240.150 Liability for misconduct or neglect; liability of employer; penalties for willful violation or neglect of duty; procedure upon revocation or suspension.

1. For misconduct or neglect in a case in which a notary public appointed pursuant to the authority of this State may act, either by the law of this State or of another state, territory or country, or by the law of nations, or by commercial usage, the notary public is liable on his or her official bond to the parties injured thereby, for all the damages sustained.
2. The employer of a notary public may be assessed a civil penalty by the Secretary of State of not more than \$2,000 for each violation specified in subsection 4 committed by the notary public, and the employer is liable for any damages proximately caused by the misconduct of the notary public, if:
 - (a) The notary public was acting within the scope of his or her employment at the time the notary public engaged in the misconduct; and
 - (b) The employer of the notary public consented to the misconduct of the notary public.
3. The Secretary of State may refuse to appoint or may suspend or revoke the appointment of a notary public who fails to provide to the Secretary of State, within a reasonable time, information that the Secretary of State requests from the notary public in connection with a complaint which alleges a violation of this chapter.
4. Except as otherwise provided in this chapter, for any willful violation or neglect of duty or other violation of this chapter, or upon proof that a notary public has been convicted of, or entered a plea of guilty, guilty but mentally ill or nolo contendere to, a crime described in paragraph (c) of subsection 2 of [NRS 240.010](#):
 - (a) The appointment of the notary public may be suspended for a period determined by the Secretary of State, but not exceeding the time remaining on the appointment;
 - (b) The appointment of the notary public may be revoked after a hearing; or
 - (c) The notary public may be assessed a civil penalty of not more than \$2,000 for each violation.
5. If the Secretary of State revokes or suspends the appointment of a notary public pursuant to this section, the Secretary of State shall:
 - (a) Notify the notary public in writing of the revocation or suspension;
 - (b) Cause notice of the revocation or suspension to be published on the website of the Secretary of State; and
 - (c) If a county clerk has issued a certificate of permission to perform marriages to the notary public pursuant to [NRS 122.064](#), notify the county clerk of the revocation or suspension.
6. Except as otherwise provided by law, the Secretary of State may assess the civil penalty that is authorized pursuant to this section upon a notary public whose appointment has expired if the notary public committed the violation that justifies the civil penalty before his or her appointment expired.
7. The appointment of a notary public may be suspended or revoked by the Secretary of State pending a hearing if the Secretary of State believes it is in the public interest or is necessary to protect the public.
[13:39:1864; B § 342; BH § 2247; C § 2414; RL § 2756; NCL § 4726]—(NRS A [1985, 1208](#); [1995, 194](#); [1997, 937](#); [2011, 1612](#); [2013, 1200](#); [2015, 932](#))

NRS 240.155 Notarization of signature of person not in presence of notary public unlawful; penalty.

1. A notary public who is appointed pursuant to this chapter shall not willfully notarize the signature of a person unless the person is in the presence of the notary public and:
 - (a) Is known to the notary public; or
 - (b) If unknown to the notary public, provides a credible witness or documentary evidence of identification to the notary public.
2. Unless a greater penalty is provided pursuant to [NRS 240.175](#), a person who:
 - (a) Violates the provisions of subsection 1; or
 - (b) Aids and abets a notary public to commit a violation of subsection 1,
 ↪ is guilty of a gross misdemeanor.
(Added to NRS by [2005, 2274](#); A [2007, 1100](#); [2017, 1516](#))

Uniform Law on Notarial Acts

NRS 240.161 Short title; uniformity of application and construction.

1. [NRS 240.161](#) to [240.169](#), inclusive, may be cited as the Uniform Law on Notarial Acts.
2. These sections must be applied and construed to effectuate their general purpose to make uniform the law with respect to the subject of these sections among states enacting them.
(Added to NRS by [1993, 200](#); A [1995, 194](#); [2005, 2276](#))

NRS 240.1635 Notarial acts in this State.

1. A notarial act may be performed within this State by the following persons:
 - (a) A notary public of this State;
 - (b) A judge, clerk or deputy clerk of any court of this State;
 - (c) A justice of the peace;
 - (d) Any other person authorized to perform the specific act by the law of this State; or
 - (e) A person authorized to perform the specific act by the law of a federally recognized Indian tribe or nation.
2. Notarial acts performed within this State under federal authority as provided in [NRS 240.1645](#) have the same effect as if performed by a notarial officer of this State.
3. The signature and title of a person performing a notarial act are prima facie evidence that the signature is genuine and that the person holds the designated title.
(Added to NRS by [1993, 200](#); A [2013, 1377](#))

NRS 240.164 Notarial acts in other jurisdictions of United States.

1. A notarial act has the same effect under the law of this State as if performed by a notarial officer of this State, if performed in another state, commonwealth, territory, district or possession of the United States by any of the following persons:
 - (a) A notary public of that jurisdiction;
 - (b) A judge, clerk or deputy clerk of a court of that jurisdiction; or
 - (c) Any other person authorized by the law of that jurisdiction to perform notarial acts.
2. Notarial acts performed in other jurisdictions of the United States under federal authority as provided in [NRS 240.1645](#) have the same effect as if performed by a notarial officer of this State.
3. The signature and title of a person performing a notarial act are prima facie evidence that the signature is genuine and that the person holds the designated title.
4. The signature and indicated title of an officer listed in paragraph (a) or (b) of subsection 1 conclusively establish the authority of a holder of that title to perform a notarial act.
(Added to NRS by [1993, 201](#))

NRS 240.1645 Notarial acts under federal authority.

1. A notarial act has the same effect under the law of this State as if performed by a notarial officer of this State if performed anywhere by any of the following persons under authority granted by the law of the United States:
 - (a) A judge, clerk or deputy clerk of a court;
 - (b) A commissioned officer on active duty in the military service of the United States;
 - (c) An officer of the foreign service or consular officer of the United States; or
 - (d) Any other person authorized by federal law to perform notarial acts.
2. The signature and title of a person performing a notarial act are prima facie evidence that the signature is genuine and that the person holds the designated title.
3. The signature and indicated title of an officer listed in paragraph (a), (b) or (c) of subsection 1 conclusively establish the authority of a holder of that title to perform a notarial act.
(Added to NRS by [1993, 201](#))

NRS 240.165 Foreign notarial acts.

1. A notarial act has the same effect under the law of this State as if performed by a notarial officer of this State if performed within the jurisdiction of and under authority of a foreign nation or its constituent units or a multinational or international organization by the following persons:
 - (a) A notary public;
 - (b) A judge, clerk or deputy clerk of a court of record;
 - (c) A person authorized by the law of that jurisdiction to perform notarial acts;
 - (d) A person authorized by federal law to perform notarial acts; or
 - (e) A person authorized by the law of a federally recognized Indian tribe or nation to perform notarial acts.
2. A certificate by an officer of the foreign service or consular officer of the United States stationed in the nation under the jurisdiction of which the notarial act was performed, or a certificate by an officer of the foreign service or consular officer of that nation stationed in the United States, conclusively establishes a matter relating to the authenticity or validity of the notarial act set forth in the certificate.

3. An official stamp or seal of the person performing the notarial act is prima facie evidence that the signature is genuine and that the person holds the indicated title.

4. An official stamp or seal of an officer listed in paragraph (a) or (b) of subsection 1 is prima facie evidence that a person with the indicated title has authority to perform notarial acts.

5. If the title of office and indication of authority to perform notarial acts appears either in a digest of foreign law or in a list customarily used as a source for that information, the authority of an officer with that title to perform notarial acts is conclusively established.

(Added to NRS by [1993, 201](#); A [1997, 939](#); [2001, 654](#); [2005, 2276](#); [2013, 1378](#))

NRS 240.1655 Notarial acts.

1. A notarial act must be evidenced by a certificate that:

(a) Identifies the county, including, without limitation, Carson City, in this State in which the notarial act was performed in substantially the following form:

State of Nevada
 County of

(b) Except as otherwise provided in this paragraph, includes the name of the person whose signature is being notarized. If the certificate is for certifying a copy of a document, the certificate must include the name of the person presenting the document. If the certificate is for the jurat of a subscribing witness, the certificate must include the name of the subscribing witness.

(c) Is signed and dated in ink by the notarial officer performing the notarial act. If the notarial officer is a notary public, the certificate must be signed in the same manner as the signature of the notarial officer that is on file with the Secretary of State.

(d) If the notarial officer performing the notarial act is a notary public, includes the statement imprinted with the stamp of the notary public, as described in [NRS 240.040](#).

(e) If the notarial officer performing the notarial act is not a notary public, includes the title of the office of the notarial officer and may include the official stamp or seal of that office. If the officer is a commissioned officer on active duty in the military service of the United States, the certificate must also include the officer's rank.

2. Except as otherwise provided in subsection 8, a notarial officer shall:

(a) In taking an acknowledgment, determine, from personal knowledge or satisfactory evidence, that the person making the acknowledgment is the person whose signature is on the document. The person who signed the document shall present the document to the notarial officer in person.

(b) In administering an oath or affirmation, determine, from personal knowledge or satisfactory evidence, the identity of the person taking the oath or affirmation.

(c) In certifying a copy of a document, photocopy the entire document and certify that the photocopy is a true and correct copy of the document that was presented to the notarial officer.

(d) In making or noting a protest of a negotiable instrument, verify compliance with the provisions of subsection 2 of [NRS 104.3505](#).

(e) In executing a jurat, administer an oath or affirmation to the affiant and determine, from personal knowledge or satisfactory evidence, that the affiant is the person named in the document. The affiant shall sign the document in the presence of the notarial officer. The notarial officer shall administer the oath or affirmation required pursuant to this paragraph in substantially the following form:

Do you (solemnly swear, or affirm) that the statements in this document are true, (so help you God)?

3. A certificate of a notarial act is sufficient if it meets the requirements of subsections 1 and 2 and it:

(a) Is in the short form set forth in [NRS 240.166](#) to [240.169](#), inclusive;

(b) Is in a form otherwise prescribed by the law of this State;

(c) Is in a form prescribed by the laws or regulations applicable in the place in which the notarial act was performed; or

(d) Sets forth the actions of the notarial officer and those are sufficient to meet the requirements of the designated notarial act.

4. For the purposes of paragraphs (a), (b) and (e) of subsection 2, a notarial officer has satisfactory evidence that a person is the person whose signature is on a document if the person:

(a) Is personally known to the notarial officer;

(b) Is identified upon the oath or affirmation of a credible witness who personally appears before the notarial officer;

(c) Is identified on the basis of an identifying document which contains a signature and a photograph;

(d) Is identified on the basis of a consular identification card;

(e) Is identified upon an oath or affirmation of a subscribing witness who is personally known to the notarial officer; or

(f) In the case of a person who is 65 years of age or older and cannot satisfy the requirements of paragraphs (a) to (e), inclusive, is identified upon the basis of an identification card issued by a governmental agency or a senior citizen center.

5. An oath or affirmation administered pursuant to paragraph (b) of subsection 4 must be in substantially the following form:

Do you (solemnly swear, or affirm) that you personally know(name of person who signed the document)....., (so help you God)?

6. A notarial officer shall not affix his or her signature over printed material.

7. By executing a certificate of a notarial act, the notarial officer certifies that the notarial officer has complied with all the requirements of this section.

8. If a person is physically unable to sign a document that is presented to a notarial officer pursuant to this section, the person may direct a person other than the notarial officer to sign the person's name on the document. The notarial officer shall insert "Signature affixed by (insert name of other person) at the direction of (insert name of person)" or words of similar import.

9. As used in this section, unless the context otherwise requires, "consular identification card" means an identification card issued by a consulate of a foreign government, which consulate is located within the State of Nevada.

(Added to NRS by [1993, 202](#); A [1995, 195](#); [1997, 940](#); [2001, 655](#); [2003, 608](#), [1932](#); [2013, 1378](#); [2015, 3244](#))

NRS 240.1657 Authentication of signature of notarial officer by Secretary of State; limitation on actions brought against Secretary of State; prohibited acts; penalties; regulations.

1. Except as otherwise provided in subsection 2, the Secretary of State shall, upon request and payment of a fee of \$20, issue an authentication to verify that the signature of the notarial officer on a document intended for use in a foreign country is genuine and that the notarial officer holds the office indicated on the document. If the document:

(a) Is intended for use in a foreign country that is a participant in the Hague Convention of October 5, 1961, the Secretary of State must issue an apostille in the form prescribed by the Hague Convention of October 5, 1961.

(b) Is intended for use in a foreign country that is not a participant in the Hague Convention of October 5, 1961, the Secretary of State must issue a certification.

2. The Secretary of State shall not issue an authentication pursuant to subsection 1 if:

(a) The document has not been notarized in accordance with the provisions of this chapter;

(b) The Secretary of State has reasonable cause to believe that the document may be used to accomplish any fraudulent, criminal or other unlawful purpose; or

(c) The request to issue an authentication does not include a statement, in the form prescribed by the Secretary of State and signed under penalty of perjury, that the document for which the authentication is requested will not be used to:

(1) Harass a person; or

(2) Accomplish any fraudulent, criminal or other unlawful purpose.

3. No civil action may be brought against the Secretary of State on the basis that:

(a) The Secretary of State has issued an authentication pursuant to subsection 1; and

(b) The document has been used to:

(1) Harass a person; or

(2) Accomplish any fraudulent, criminal or other unlawful purpose.

4. A person who uses a document for which an authentication has been issued pursuant to subsection 1 to:

(a) Harass a person; or

(b) Accomplish any fraudulent, criminal or other unlawful purpose,

is guilty of a category C felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 5 years, and may be further punished by a fine of not more than \$5,000.

5. The Secretary of State may adopt regulations to carry out the provisions of this section.

(Added to NRS by [2005, 2274](#); A [2015, 933](#); [2019, 29](#))

NRS 240.166 Short form for acknowledgment in individual capacity. Upon compliance with the requirements of [NRS 240.1655](#), the following certificate is sufficient for an acknowledgment in an individual capacity:

State of Nevada
County of.....

This instrument was acknowledged before me on(date)..... by(name(s) of person(s)).....

(Seal, if any)

.....
(Signature of notarial officer)

.....
(Title and rank (optional))

(Added to NRS by [1993, 202](#); A [1995, 196](#); [2001, 655](#); [2003, 610](#))

NRS 240.1663 Short form for administering oath or affirmation of office. Upon compliance with the requirements of [NRS 240.1655](#), the following certificate is sufficient for administering an oath or affirmation of office:

State of Nevada
County of.....

I,(name of person taking oath or affirmation of office)....., do solemnly swear (or affirm) that I will support, protect and defend the Constitution and Government of the United States and the Constitution and Government of the State of Nevada against all enemies, whether domestic or foreign, and that I will bear true faith, allegiance and loyalty to the same, any ordinance, resolution or law of any state notwithstanding, and that I will well and faithfully perform all the duties of the office of(title of office)....., on which I am about to enter; (if an oath) so help me God; (if an affirmation) under the pains and penalties of perjury.

.....
(Signature of person taking oath or affirmation of office)

Signed and sworn to (or affirmed) before me on(date)..... by(name of person taking oath or affirmation of office).....

(Seal, if any)

.....
(Signature of notarial officer)

.....
(Title and rank (optional))

(Added to NRS by [2001, 651](#); A [2003, 610](#))

NRS 240.1665 Short form for acknowledgment in representative capacity. Upon compliance with the requirements of [NRS 240.1655](#), the following certificate is sufficient for an acknowledgment in a representative capacity:

State of Nevada
County of.....

This instrument was acknowledged before me on(date)..... by(name(s) of person(s))..... as(type of authority, e.g., officer, trustee, etc.)..... of(name of party on behalf of whom instrument was executed).....

.....
(Signature of notarial officer)

(Seal, if any)

.....
(Title and rank (optional))

(Added to NRS by [1993, 203](#); A [1995, 196](#); [2001, 656](#); [2003, 611](#))

NRS 240.1667 Short form for acknowledgment containing power of attorney. Upon compliance with the requirements of [NRS 240.1655](#), the following certificate is sufficient for an acknowledgment that contains a power of attorney:

State of Nevada
County of

This instrument was acknowledged before me on(date)..... by(name of person holding power of attorney)..... as attorney-in-fact for(name of principal/person whose name is in the document).....

(Seal, if any)
(Signature of notarial officer)
.....
(Title and rank (optional))

(Added to NRS by [1997, 929](#); A [2001, 656](#); [2003, 611](#))

NRS 240.167 Short form for execution of jurat. Upon compliance with the requirements of [NRS 240.1655](#), the following certificate is sufficient for executing a jurat:

State of Nevada
County of.....

Signed and sworn to (or affirmed) before me on(date)..... by(name(s) of person(s) making statement).....

(Seal, if any)
(Signature of notarial officer)
.....
(Title and rank (optional))

(Added to NRS by [1993, 203](#); A [1995, 196](#); [2001, 657](#); [2003, 611](#))

NRS 240.168 Short form for certifying copy of document. Upon compliance with the requirements of [NRS 240.1655](#), the following certificate is sufficient for certifying a copy of a document:

State of Nevada
County of.....

I certify that this is a true and correct copy of a document in the possession of(name of person who presents the document).....
Dated.....

(Seal, if any)
(Signature of notarial officer)
.....
(Title and rank (optional))

(Added to NRS by [1993, 203](#); A [1995, 197](#); [1997, 940](#); [2001, 657](#); [2003, 612](#))

NRS 240.1685 Short form for jurat of subscribing witness. Upon compliance with the requirements of [NRS 240.1655](#), the following certificate is sufficient for a jurat of a subscribing witness:

State of Nevada
County of.....

On(date).....,(subscribing witness)..... personally appeared before me, whom I know to be the person who signed this jurat of a subscribing witness while under oath, and swears that he or she was present and witnessed(signer of the document)..... sign his or her name to the above document.

.....
(Signature of subscribing witness)
Signed and sworn before me on(date)..... by(subscribing witness).....
.....
(Signature of notarial officer)

(Seal, if any)

.....
(Title and rank (optional))

(Added to NRS by [1995, 190](#); A [2003, 612](#))

NRS 240.169 Short form for acknowledgment of credible witness. Upon compliance with the requirements of [NRS 240.1655](#), the following certificate is sufficient for an acknowledgment of a credible witness:

State of Nevada
County of.....

This instrument was acknowledged before me on(date)..... by(name of person)..... who personally appeared before me and whose identity I verified upon the oath of(name of credible witness)....., a credible witness personally known to me and to the person who acknowledged this instrument before me.

.....
(Signature of notarial officer)

(Seal, if any)

.....
(Title and rank (optional))

(Added to NRS by [1995, 190](#); A [1997, 940](#); [2003, 613](#))

Penalties

NRS 240.175 Criminal penalties. A person who willfully violates a provision of [NRS 240.001](#) to [240.169](#), inclusive, or a regulation or order adopted or issued pursuant thereto is guilty of a category D felony and shall be punished as provided in [NRS 193.130](#) if the offense results in irreparable harm to a person.
(Added to NRS by [2017, 1514](#))

Electronic Notarization Enabling Act

NRS 240.181 Short title. [NRS 240.181](#) to [240.206](#), inclusive, may be cited as the Electronic Notarization Enabling Act.
(Added to NRS by [2009, 3018](#); A [2017, 3447](#); [2021, 1163](#))

NRS 240.182 Definitions. As used in [NRS 240.181](#) to [240.206](#), inclusive, unless the context otherwise requires, the words and terms defined in [NRS 240.1821](#) to [240.1882](#), inclusive, have the meanings ascribed to them in those sections.
(Added to NRS by [2009, 3018](#); A [2017, 3448](#); [2021, 1163](#))

NRS 240.1821 “Audio-video communication” defined. “Audio-video communication” means communication by which a person is able to see, hear and communicate with another person in real time using electronic means.
(Added to NRS by [2017, 3444](#))

NRS 240.1823 “Credential” defined. “Credential” means a tangible record evidencing the identity of a person.
(Added to NRS by [2017, 3444](#))

NRS 240.1825 “Dynamic knowledge-based authentication assessment” defined. “Dynamic knowledge-based authentication assessment” means an identity assessment that is based on a set of questions formulated from public or private data sources for which the person taking the assessment has not previously provided an answer and that meets any rules or regulations adopted by the Secretary of State.
(Added to NRS by [2017, 3444](#))

NRS 240.183 “Electronic” defined. “Electronic” means of or relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic or similar capabilities.
(Added to NRS by [2009, 3018](#); A [2017, 3445](#))

NRS 240.184 “Electronic document” defined. “Electronic document” means a document that is created, generated, sent, communicated, received or stored by electronic means.

(Added to NRS by [2009, 3018](#))

NRS 240.185 “Electronic notarial act” defined. “Electronic notarial act” means an act that an electronic notary public of this State is authorized to perform. The term includes:

1. Taking an acknowledgment;
2. Administering an oath or affirmation;
3. Executing a jurat;
4. Certifying a true and correct copy; and
5. Performing such other duties as may be prescribed by a specific statute.

(Added to NRS by [2009, 3018](#); A [2017, 81, 3448](#))

NRS 240.186 “Electronic notary public” defined. “Electronic notary public” means a person registered with the Secretary of State pursuant to [NRS 240.181](#) to [240.206](#), inclusive, to perform electronic notarial acts.

(Added to NRS by [2009, 3018](#); A [2017, 3448](#))

NRS 240.187 “Electronic seal” defined. “Electronic seal” means information within a notarized electronic document that includes the name, jurisdiction and expiration date of the registration of an electronic notary public and generally includes the information required to be set forth in a mechanical stamp pursuant to [NRS 240.040](#).

(Added to NRS by [2009, 3018](#); A [2017, 3448](#))

NRS 240.188 “Electronic signature” defined. “Electronic signature” means an electronic symbol or process attached to or logically associated with an electronic document and executed or adopted by a person with the intent to sign the electronic document.

(Added to NRS by [2009, 3018](#))

NRS 240.1882 “In the presence of” or “appear before” defined. “In the presence of” or “appear before” means being:

1. In the same physical location as another person and close enough to see, hear, communicate with and exchange credentials with that person; or
2. In a different physical location from another person but able to see, hear and communicate with the person by means of audio-video communication that meets any rules or regulations adopted by the Secretary of State.

(Added to NRS by [2017, 3445](#))

NRS 240.189 Applicability. An electronic notary public shall comply with those provisions of [NRS 240.001](#) to [240.169](#), inclusive, which are not inconsistent with [NRS 240.181](#) to [240.206](#), inclusive. To the extent that the provisions of [NRS 240.001](#) to [240.169](#), inclusive, conflict with the provisions of [NRS 240.181](#) to [240.206](#), inclusive, the provisions of [NRS 240.181](#) to [240.206](#), inclusive, control.

(Added to NRS by [2009, 3026](#); A [2017, 3448](#); [2021, 1163](#))

NRS 240.191 Unlawful acts; injunctive relief.

1. It is unlawful for a person to:
 - (a) Represent himself or herself as an electronic notary public if the person has not registered with the Secretary of State pursuant to [NRS 240.192](#).
 - (b) Submit a registration as an electronic notary public that contains a substantial and material misstatement or omission of fact.
2. The Secretary of State may request that the Attorney General bring an action to enjoin any violation of paragraph (a) of subsection 1.

(Added to NRS by [2009, 3018](#); A [2017, 3448](#))

NRS 240.192 Registration; oath and bond; fee; electronic notary public.

1. Except as otherwise provided in subsection 5, each person registering as an electronic notary public must:
 - (a) At the time of registration, be a notarial officer in this State who has complied with the requirements pertaining to taking an oath and filing a bond set forth in [NRS 240.030](#) and [240.033](#) and have complied with all applicable notarial requirements set forth in this chapter;
 - (b) Register with the Secretary of State by submitting an electronic registration pursuant to subsection 2;
 - (c) Pay to the Secretary of State a registration fee of \$50, which is in addition to the application fee required pursuant to [NRS 240.030](#) to be a notarial officer in this State; and
 - (d) Submit to the Secretary of State with the registration proof satisfactory to the Secretary of State that the registrant has:

(1) Successfully completed any required course of study on electronic notarization provided pursuant to [NRS 240.195](#); and

(2) Complied with the requirements pertaining to taking an oath and filing a bond set forth in [NRS 240.030](#) and [240.033](#).

2. Unless the Secretary of State establishes a different process for submitting a registration as an electronic notary public, the registration as an electronic notary public must be submitted as an electronic document by electronic mail to nvnotary@sos.nv.gov or, if another electronic mail address is designated by the Secretary of State, to such other designated electronic mail address, and must contain, without limitation, the following information:

(a) All information required to be included in an application for appointment as a notary public pursuant to [NRS 240.030](#).

(b) A description of the technology or device that the registrant intends to use to create his or her electronic signature in performing electronic notarial acts.

(c) The electronic signature of the registrant.

(d) Any other information required pursuant to any rules or regulations adopted by the Secretary of State.

3. Unless the Secretary of State establishes a different process for the payment of the registration fee required pursuant to paragraph (c) of subsection 1, the registration fee must be paid by check or draft, made payable to the Secretary of State and transmitted to the Office of the Secretary of State.

4. Except as otherwise provided in subsection 5, registration as an electronic notary public shall be deemed effective upon the payment of the registration fee required pursuant to paragraph (c) of subsection 1 if the registrant has satisfied all other applicable requirements.

5. The Secretary of State may establish a process for a person to simultaneously apply for appointment as a notary public and register as an electronic notary public. If the Secretary of State establishes such a process, registration as an electronic notary public shall be deemed effective upon the person complying with:

(a) The requirements pertaining to taking an oath and filing a bond set forth in [NRS 240.030](#) and [240.033](#) and with all other applicable notarial requirements set forth in this chapter; and

(b) The requirements set forth in this section to register as an electronic notary.

(Added to NRS by [2009, 3019](#); A [2017, 81, 3449, 3457](#); [2019, 29](#))

NRS 240.194 Period of registration; suspension of registration by operation of law; changes of information.

1. The period of registration of an electronic notary public is coterminous with his or her term of appointment as a notary public pursuant to [NRS 240.010](#). Registration as an electronic notary public must be renewed at the same time a person renews his or her appointment as a notary public.

2. The registration of an electronic notary public is suspended by operation of law when the electronic notary public is no longer appointed as a notary public in this State. If the registration of an electronic notary public has expired or been revoked or suspended, the Secretary of State shall immediately notify the electronic notary public in writing that his or her registration as an electronic notary public will be suspended by operation of law until he or she is appointed as a notary public in this State.

3. If, at any time, a registered electronic notary public changes his or her electronic mail address, county of residence, name, electronic signature or the technology or device used to create his or her electronic signature, the electronic notary public shall, within 10 days after making the change, submit to the Secretary of State:

(a) An electronic document, signed with the electronic signature submitted by the electronic notary public pursuant to subsection 2 of [NRS 240.192](#), that includes the change of information; and

(b) A fee of \$10.

(Added to NRS by [2009, 3021](#); A [2017, 83, 3451, 3457](#))

NRS 240.193 Course of study for registration.

1. Except as otherwise provided in this section, a notary public who registers with the Secretary of State as an electronic notary public pursuant to [NRS 240.192](#) for the first time must successfully complete any required course of study on electronic notarization required pursuant to [NRS 240.195](#) before filing such registration with the Secretary of State.

2. A notary public may register with the Secretary of State as an electronic notary public pursuant to [NRS 240.192](#) and thereafter perform the functions of an electronic notary public pursuant to this chapter without completing any course of study on electronic notarization required pursuant to [NRS 240.195](#) if, at the time of registration, the course of study is not yet offered by the Secretary of State or a vendor approved by the Secretary of State.

3. If a notary public registers and performs the functions of an electronic notary public without first completing any required course of study on electronic notarization pursuant to subsection 2, he or she must complete the required course of study and pass any required examination within 120 days after the course of study is first offered by the Secretary of State or a vendor approved by the Secretary of State. The registrant shall thereafter complete any required course of study in accordance with paragraph (b) or (c) of subsection 3 of [NRS 240.195](#), as applicable.

(Added to NRS by [2017, 3447](#))

NRS 240.195 Courses of study required; persons required to successfully complete course of study; fees; regulations.

1. In addition to any courses of study a notary public is required to complete pursuant to [NRS 240.018](#), the Secretary of State may, by rule or regulation, require a notary public who registers with the Secretary of State as an electronic notary public pursuant to [NRS 240.192](#) to complete an additional course of study on electronic notarization in accordance with this section.

2. Except as otherwise provided in subsection 3, a registrant as an electronic notary public must successfully:

(a) Complete any course of study on electronic notarization that is required pursuant to subsection 1 in accordance with the requirements of subsection 6; and

(b) Pass an examination at the completion of the course.

3. The following persons are required to enroll in and successfully complete any course of study on electronic notarization that is required pursuant to subsection 1:

(a) A person registering for the first time as an electronic notary public;

(b) A person renewing his or her registration as an electronic notary public; and

(c) A person who has committed a violation of this chapter or whose registration as an electronic notary public has been suspended, and who has been required by the Secretary of State to enroll in a course of study provided pursuant to this section.

4. A course of study required to be completed pursuant to subsection 1 must:

(a) Be taken online and be of a duration of not more than 3 hours, including instruction and completion of an examination of the course content;

(b) Provide instruction in electronic notarization, including, without limitation, notarial law and ethics, technology and procedures;

(c) Comply with any regulations adopted pursuant to [NRS 240.206](#) relating to courses of study on electronic notarization; and

(d) Be approved by the Secretary of State.

5. The Secretary of State may, with respect to a course of study required to be completed pursuant to subsection 1, charge a reasonable fee to each person who enrolls in such a course of study.

6. A course of study provided pursuant to this section:

(a) Must satisfy the criteria set forth in subsection 4 and comply with any requirements set forth in the regulations adopted pursuant to [NRS 240.206](#) relating to courses of study on electronic notarization.

(b) May be provided by the Secretary of State or a vendor approved by the Secretary of State.

7. The Secretary of State shall deposit the fees collected pursuant to subsection 5 in the Notary Public Training Account created pursuant to [NRS 240.018](#).

(Added to NRS by [2009, 3022](#); A [2015, 934](#); [2017, 84, 3451, 3457](#))

NRS 240.196 Powers of electronic notary public. A person registered as an electronic notary public pursuant to [NRS 240.181](#) to [240.206](#), inclusive, may perform the following electronic notarial acts for a person who requests the electronic notarial act and tenders any authorized fee:

1. Taking an acknowledgment;

2. Executing a jurat;

3. Administering an oath or affirmation;

4. Certifying a true and correct copy; and

5. Performing such other duties as prescribed by law.

(Added to NRS by [2009, 3022](#); A [2017, 84, 3452](#))

NRS 240.197 Fees for services; additional fees for travel expenses; electronic notarial acts performed within and outside scope of employment; exceptions.

1. Except as otherwise provided in this section:

(a) An electronic notary public may charge the following fees:

(1) For taking an acknowledgment, for each signature..... \$25

(2) For executing a jurat, for each signature..... \$25

(3) For administering an oath or affirmation..... \$25

(b) An electronic notary public shall not charge a fee to perform an electronic notarial act unless he or she is authorized to charge a fee for such an electronic notarial act pursuant to this section.

(c) All fees prescribed in this section are payable in advance, if demanded.

(d) An electronic notary public may charge an additional fee for traveling to perform an electronic notarial act if:

(1) The person requesting the electronic notarial act asks the electronic notary public to travel;

(2) The electronic notary public explains to the person requesting the electronic notarial act that the fee for travel is in addition to the fee authorized in paragraph (a) and is not required by law;

(3) The person requesting the electronic notarial act agrees in advance upon the hourly rate that the electronic notary public will charge for the additional fee for travel; and

(4) The additional fee for travel does not exceed:

(I) If the person requesting the electronic notarial act asks the electronic notary public to travel between the hours of 6 a.m. and 7 p.m., \$10 per hour.

(II) If the person requesting the electronic notarial act asks the electronic notary public to travel between the hours of 7 p.m. and 6 a.m., \$25 per hour.

↳ The electronic notary public may charge a minimum of 2 hours for such travel and shall charge on a pro rata basis after the first 2 hours.

(e) An electronic notary public is entitled to charge the amount of the additional fee for travel agreed to in advance by the person requesting the electronic notarial act pursuant to paragraph (d) if:

(1) The person requesting the electronic notarial act cancels the request after the electronic notary public begins traveling to perform the requested electronic notarial act.

(2) The electronic notary public is unable to perform the requested electronic notarial act as a result of the actions of the person who requested the electronic notarial act or any other person who is necessary for the performance of the electronic notarial act.

(f) For each additional fee for travel that an electronic notary public charges pursuant to paragraph (d), the electronic notary public shall enter in the electronic journal that he or she keeps pursuant to [NRS 240.201](#):

(1) The amount of the fee; and

(2) The date and time that the electronic notary public began and ended such travel.

(g) An electronic notary public may charge a reasonable fee to recover any cost of providing a copy of an entry or a recording of an audio-video communication in an electronic journal maintained pursuant to [NRS 240.201](#).

2. A person who employs an electronic notary public may prohibit the electronic notary public from charging a fee for an electronic notarial act that the electronic notary public performs within the scope of the employment. Such a person shall not require the electronic notary public whom the person employs to surrender to the person all or part of a fee charged by the electronic notary public for an electronic notarial act performed outside the scope of the employment of the electronic notary public.

3. An electronic notary public who is an officer or employee of the State or a local government shall not charge a fee for an electronic notarial act that the electronic notary public performs within the scope of such employment.

4. This section does not apply to any compensation for services provided by an electronic notary public which do not constitute electronic notarial acts or comply with the other requirements of this chapter.

(Added to NRS by [2009, 3022](#); A [2017, 3452](#); [2019, 30](#))

NRS 240.198 Notarization of signature of person not in presence of notary public unlawful; penalty; powers limited to areas within this State; certain notarial acts deemed performed within this State.

Except as otherwise specifically provided by law:

1. An electronic notary public shall not willfully electronically notarize the signature or electronic signature of a person unless the person is in the presence of the electronic notary public at the time of notarization and:

(a) Is known to the electronic notary public; or

(b) If unknown to the electronic notary public, provides a credible witness or documentary evidence of identification to the electronic notary public.

2. A person who:

(a) Violates the provisions of subsection 1; or

(b) Aids and abets an electronic notary public to commit a violation of subsection 1,

↳ is guilty of a gross misdemeanor.

3. Registration as an electronic notary public pursuant to [NRS 240.181](#) to [240.206](#), inclusive, does not authorize the electronic notary public to perform notarial acts in another state.

4. A notarial act performed by an electronic notary public in this State for a person located outside this State by means of audio-video communication in accordance with the provisions of this chapter shall not be deemed to be performed outside this State.

(Added to NRS by [2009, 3023](#); A [2017, 3454](#))

NRS 240.199 Evidence of electronic notarial act; electronic document to be tamper-evident.

1. An electronic notarial act must be evidenced by the following, which must be attached to or logically associated with the electronic document that is the subject of the electronic notarial act and which must be immediately perceptible and reproducible:

(a) The electronic signature of the electronic notary public;

(b) The electronic seal of the electronic notary public; and

(c) The wording of a notarial certificate pursuant to [NRS 240.1655](#), [240.166](#) to [240.167](#), inclusive, [240.1685](#) or [240.169](#), including, without limitation, language explicitly stating that the notarial act was performed using audio-video communication, if applicable.

2. Upon the completion of an electronic notarial act in accordance with subsection 1, an electronic notary public shall use technology to render the electronic document tamper-evident.

(Added to NRS by [2009, 3024](#); A [2017, 3454](#))

NRS 240.19902 Short form for certifying copy of electronic document. Upon compliance with the requirements of [NRS 240.199](#), the following certificate is sufficient for certifying that a paper document is a true and correct copy of an electronic document:

State of Nevada
County of.....

I certify that this is a true and correct copy of an electronic document printed by me or under my supervision. I further certify that, at the time of printing, no security features present on the electronic document indicated any changes or errors in an electronic signature or other information in the electronic document since its creation or execution.

Dated.....

.....
(Signature of notarial officer)

(Seal, if any)

.....
(Title and rank (optional))

(Added to NRS by [2021, 1163](#))

NRS 240.1991 Requirements for use of audio-video communication: Technology.

1. An electronic notary public may perform any of the acts set forth in [NRS 240.196](#) using audio-video communication in accordance with [NRS 240.181](#) to [240.206](#), inclusive, and any rules or regulations adopted by the Secretary of State.

2. Before an electronic notary public performs electronic notarial acts using audio-video communication, he or she must register with the Secretary of State pursuant to [NRS 240.192](#) and identify the technology that the electronic notary public intends to use, which must conform to any rules or regulations adopted by the Secretary of State.

3. If an electronic notarial act is performed using audio-video communication:

(a) The technology used must allow the persons communicating to see and speak to each other simultaneously;

(b) The signal transmission must be in real time; and

(c) The electronic notarial act must be recorded in accordance with [NRS 240.1995](#).

(Added to NRS by [2017, 3445](#))

NRS 240.1993 Requirements for use of audio-video communication: Location.

1. An electronic notary public may perform an electronic notarial act using audio-video communication in accordance with [NRS 240.181](#) to [240.206](#), inclusive, and any rules or regulations adopted by the Secretary of State for a person who is physically located:

(a) In this State;

(b) Outside this State but within the United States; or

(c) Outside the United States if:

(1) The electronic notary public has no actual knowledge of the electronic notarial act being prohibited in the jurisdiction in which the person is physically located; and

(2) The person placing his or her electronic signature on the electronic document confirms to the electronic notary public that the requested electronic notarial act and the electronic document:

(I) Are part of or pertain to a matter that is to be filed with or is currently before a court, governmental entity or other entity in the United States;

(II) Relate to property located in the United States; or

(III) Relate to a transaction substantially connected to the United States.

2. An electronic notary public who is registered with the Secretary of State pursuant to [NRS 240.192](#) may perform an electronic notarial act using audio-video communication in accordance with [NRS 240.181](#) to [240.206](#), inclusive, and any rules or regulations adopted by the Secretary of State if the electronic notary public is physically present in this State at the time of performing the electronic notarial act, regardless of whether the person who placed the electronic signature on the electronic document is physically located in another jurisdiction at the time of the electronic notarial act. The validity of the notarial act will be determined by applying the laws of this State.

(Added to NRS by [2017, 3445](#))

NRS 240.1995 Duty to record electronic notarial acts performed using audio-video communication; identification by personal knowledge or credible witness; period of retention.

1. An electronic notary public shall arrange for a recording to be made of each electronic notarial act performed using audio-video communication. Before performing any electronic notarial act using audio-video

communication, the electronic notary public must inform all participating persons that the electronic notarization will be electronically recorded.

2. If the person for whom the electronic notarial act is being performed is identified by personal knowledge, the recording of the electronic notarial act must include an explanation by the electronic notary public as to how he or she knows the person and how long he or she has known the person.

3. If the person for whom the electronic notarial act is being performed is identified by a credible witness:

(a) The credible witness must appear before the electronic notary public; and

(b) The recording of the electronic notarial act must include:

(1) A statement by the electronic notary public as to whether he or she identified the credible witness by personal knowledge or satisfactory evidence; and

(2) An explanation by the credible witness as to how he or she knows the person for whom the electronic notarial act is being performed and how long he or she has known the person.

4. An electronic notary public shall keep a recording made pursuant to this section for a period of not less than 7 years, regardless of whether the electronic notarial act was actually completed.

(Added to NRS by [2017, 3446](#))

NRS 240.1997 Electronic notarial acts using audio-video communication: Confirmation of identity.

1. For the purposes of performing an electronic notarial act for a person using audio-video communication, an electronic notary public has satisfactory or documentary evidence of the identity of the person if the electronic notary public confirms the identity of the person by:

(a) Personal knowledge;

(b) Each of the following:

(1) Remote presentation by the person of a government-issued identification credential that contains a photograph and the signature of the person;

(2) Credential analysis of the government-issued identification credential and the data thereon; and

(3) A dynamic knowledge-based authentication assessment;

(c) Any other method that complies with any rules or regulations adopted by the Secretary of State; or

(d) A valid certificate that complies with any rules or regulations adopted by the Secretary of State.

2. As used in this section:

(a) "Certificate" has the meaning ascribed to it in [NRS 720.030](#).

(b) "Credential analysis" means a process or service that complies with any rules or regulations adopted by the Secretary of State through which a third party affirms the validity of a government-issued identification credential or any data thereon through the review of data sources.

(c) "Remote presentation" means the transmission of a quality image of a government-issued identification credential to an electronic notary public through communication technology for the purpose of enabling the electronic notary public to identify the person appearing before the electronic notary public and to perform a credential analysis.

(Added to NRS by [2017, 3446](#))

NRS 240.1999 Recording certain electronic documents relating to real property.

1. If an electronic document relating to real property located in this State contains an electronic acknowledgment, notwithstanding any omission or error in the certificate of acknowledgment or failure of the document to show an acknowledgment in compliance with applicable law, upon the document being recorded with the county recorder of the county in which the real property is located or filed with the Secretary of State:

(a) The electronic document shall be deemed to be lawfully recorded or filed; and

(b) All persons, including, without limitation, any creditor, encumbrancer, mortgagee, subsequent purchaser for valuable consideration or any other subsequent transferee thereof or of any interest therein, are deemed to have notice of its contents.

2. For the purposes of this section, a document is deemed to comply with all applicable requirements upon the acceptance for recording by the county recorder of the county in which the real property is located or the filing of the document with the Secretary of State, as required by law.

(Added to NRS by [2017, 3447](#))

NRS 240.201 Duty to keep electronic journal of electronic notarial acts; suspension of registration for failure to produce electronic journal entry; period of retention of notarial records upon surrender, revocation or expiration of registration.

1. An electronic notary public shall keep an electronic journal of each electronic notarial act which includes, without limitation, the requirements of subsections 1 and 5 of [NRS 240.120](#), but does not include the electronic signatures of the person for whom the electronic notarial act was performed and any witnesses.

2. An electronic notary public who performs electronic notarial acts shall:

(a) Describe each electronic notarial act in the electronic journal and specify whether the electronic notarial act was performed using audio-video communication;

(b) Maintain and protect the electronic journal at all times under his or her sole control; and

(c) Provide for lawful inspection and copying of the electronic journal.

3. An electronic notary public may maintain more than one electronic journal to record electronic notarial acts.

4. The fact that the employer or contractor of an electronic notary public keeps a record of electronic notarial acts does not relieve the electronic notary public of the duties required by this section.

5. An electronic journal must:

- (a) Enable access by a password or other secure means of authentication; and
- (b) Be capable of providing tangible or electronic copies of any entry made therein.

6. The Secretary of State may suspend the registration of an electronic notary public who fails to produce any electronic journal entry within 10 days after receipt of a request from the Secretary of State.

7. Upon surrender, revocation or expiration of a registration as an electronic notary public, all notarial records required pursuant to [NRS 240.001](#) to [240.206](#), inclusive, must, except as otherwise provided by law, be kept by the electronic notary public for a period of 7 years after the termination of the registration of the electronic notary public.

8. As used in this section, "sole control" means being in the direct physical custody of or safeguarded by an electronic notary public with a password or other secure means of authentication.

(Added to NRS by [2009, 3024](#); A [2011, 1613](#); [2017, 84, 3454, 3457](#))

NRS 240.202 Use of electronic signature and electronic seal; safeguarding of electronic signature, electronic seal and notarial records; maintenance of technology or device used to create electronic signature.

1. The electronic signature and electronic seal of an electronic notary public must be used only for the purposes of performing electronic notarial acts.

2. An electronic notary public shall safeguard his or her electronic signature, the electronic seal and all notarial records maintained by the electronic notary public as follows:

(a) When not in use, the electronic notary public shall keep the electronic signature, electronic seal and all notarial records secure, under the exclusive control of the electronic notary public and protected by a password where applicable.

(b) An electronic notary public shall not permit his or her electronic signature or electronic seal to be used by any other person.

(c) An electronic notary public shall not surrender or destroy his or her notarial records except as otherwise required by the order of a court or as allowed pursuant to [NRS 240.001](#) to [240.206](#), inclusive, or any regulations adopted pursuant thereto.

(d) Except as otherwise provided in subsection 3, an electronic notary public, within 10 days after discovering that his or her electronic signature or electronic seal has been stolen, lost, damaged or otherwise rendered incapable of affixing a legible image, shall:

(1) Inform the appropriate law enforcement agency in the case of theft or vandalism; and

(2) Notify the Secretary of State and the entity from which the electronic notary public obtained the electronic signature or electronic seal in writing, including, without limitation, a signature using the name under which the electronic notary public is registered pursuant to [NRS 240.192](#).

3. An electronic notary public shall take reasonable steps to maintain the technology or device used to create his or her electronic signature, and to ensure that the technology or device has not been recalled, revoked, terminated or otherwise rendered ineffective or unsecure by the entity that created the technology or device. Upon learning that the technology or device used to create his or her electronic signature has been rendered ineffective or unsecure, an electronic notary public shall cease performing electronic notarial acts until:

(a) A new technology or device is acquired; and

(b) The electronic notary public sends an electronic notice to the Secretary of State that includes the electronic signature of the electronic notary public required pursuant to paragraph (c) of subsection 2 of [NRS 240.192](#) relating to the new technology or device.

(Added to NRS by [2009, 3024](#); A [2017, 85, 3455, 3457](#))

NRS 240.203 Notice to Secretary of State of death of electronic notary public or surrender, revocation or expiration of registration; duty to erase, delete, destroy or otherwise render ineffective notary's electronic signature technology or device.

1. Except as otherwise provided in subsection 3, if an electronic notary public dies during his or her period of registration, or if the registration of the electronic notary public is surrendered or revoked or expires, the electronic notary public, the executor of his or her estate or an authorized representative of the electronic notary public, as appropriate, shall:

(a) Notify the Secretary of State of the death, surrender, revocation or expiration; and

(b) Erase, delete, destroy or otherwise render ineffective the technology or device used to create his or her electronic signature.

2. Upon receipt of the notice required by subsection 1, the Secretary of State shall cancel the registration of the electronic notary public, effective on the date on which the notice was received.

3. A former electronic notary public whose previous registration as an electronic notary public was not revoked and whose previous registration as an electronic notary public was not denied is not required to erase,

delete, destroy or otherwise render ineffective the technology or device used to create his or her electronic signature if the former electronic notary public renews his or her registration, using the same electronic signature, within 3 months after the expiration of his or her previous registration as an electronic notary public.

(Added to NRS by [2009, 3025](#); A [2017, 3456](#))

NRS 240.204 Unlawful acts.

1. A person who knowingly creates, manufactures or distributes software or hardware for the purpose of allowing a person to act as an electronic notary public without being registered in accordance with [NRS 240.181](#) to [240.206](#), inclusive, is guilty of a gross misdemeanor.

2. A person who wrongfully obtains, conceals, damages or destroys the technology or device used to create the electronic signature of an electronic notary public is guilty of a gross misdemeanor.

(Added to NRS by [2009, 3025](#); A [2017, 3456](#))

NRS 240.205 Authentication of signature of electronic notary public by Secretary of State; penalty; regulations.

1. Except as otherwise provided in subsection 2, the Secretary of State shall, upon request, issue an authentication to verify that the electronic signature of the electronic notary public on an electronic document is genuine and that the electronic notary public holds the office indicated on the electronic document. The authentication must be:

(a) Signed by the Secretary of State; and

(b) In conformance with any relevant international treaties, agreements and conventions subscribed to by the Government of the United States, including, without limitation, the Hague Convention of October 5, 1961.

2. The Secretary of State shall not issue an authentication pursuant to subsection 1 if:

(a) The electronic document has not been electronically notarized in accordance with the provisions of [NRS 240.001](#) to [240.206](#), inclusive;

(b) The Secretary of State has reasonable cause to believe that the electronic document may be used to accomplish any fraudulent, criminal or unlawful purpose; or

(c) The request to issue an authentication does not include a statement, in the form prescribed by the Secretary of State and signed under penalty of perjury, that the document for which the authentication is requested will not be used to:

(1) Harass a person; or

(2) Accomplish any fraudulent, criminal or other unlawful purpose.

3. No civil action may be brought against the Secretary of State on the basis that:

(a) The Secretary of State has issued an authentication pursuant to subsection 1; and

(b) The document has been used to:

(1) Harass a person; or

(2) Accomplish any fraudulent, criminal or other unlawful purpose.

4. A person who uses a document for which an authentication has been issued pursuant to subsection 1 to:

(a) Harass a person; or

(b) Accomplish any fraudulent, criminal or other unlawful purpose,

is guilty of a category C felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 5 years, and may be further punished by a fine of not more than \$5,000.

5. The Secretary of State may adopt regulations to carry out the provisions of this section.

(Added to NRS by [2009, 3025](#); A [2017, 85](#))

NRS 240.206 Regulations. The Secretary of State may adopt regulations to carry out the provisions of [NRS 240.181](#) to [240.206](#), inclusive.

(Added to NRS by [2009, 3026](#))

COMMISSIONED ABSTRACTERS

NRS 240.240 Creation of office. The office of commissioned abstractor, in and for the several counties of this State, is hereby created.

[1:180:1927; NCL § 1450]

NRS 240.250 Appointment and commission. The Secretary of State is empowered to appoint and commission commissioned abstracters in and for the several counties of this State, in any number in which applications may be made to the Secretary of State, as in his or her judgment may be deemed advisable.

[2:180:1927; NCL § 1451]—(NRS A [1997, 941](#))

NRS 240.260 Term of office. The term of office of a commissioned abstractor shall be for 4 years.

[Part 3:180:1927; NCL § 1452]

NRS 240.270 Fee for commission; oath and bond.

1. Each commissioned abstractor, before entering upon the acts authorized in [NRS 240.240](#) to [240.330](#), inclusive, and at the time the commissioned abstractor receives his or her commission, shall:

- (a) Pay to the Secretary of State the sum of \$10.
- (b) Take the official oath as prescribed by law, which oath shall be endorsed on his or her commission.
- (c) Enter into a bond to the State of Nevada in the sum of \$2,000, to be approved by the district judge of the county for which the commissioned abstractor may be appointed.

2. Each commissioned abstractor shall have his or her commission, together with the bond, recorded in the office of the clerk of the county for which the commissioned abstractor has been appointed.

[5:180:1927; A [1951, 8](#)](NRS A [1979, 78](#))

NRS 240.280 Seal.

1. Each commissioned abstractor shall provide an official seal with which the commissioned abstractor shall authenticate all his or her official acts. There shall be engraved on the official seal:

- (a) The name of the county for which the commissioned abstractor has been commissioned.
- (b) The name of the State.
- (c) The name of the commissioned abstractor.
- (d) The words "Commissioned Abstractor."

2. An impression of the official seal shall be made on the official bond of each commissioned abstractor before recording the bond.

[6:180:1927; NCL § 1455]

NRS 240.290 Acts may be performed anywhere in State. All acts of any commissioned abstractor performed anywhere within this State shall be of the same force and validity as if performed within the county for which the commissioned abstractor was appointed and in which he or she resides.

[4:180:1927; NCL § 1453]

NRS 240.300 Powers. A commissioned abstractor shall have authority:

1. To make search and examination of all public records and compile abstracts of title to real property or other property therefrom.

2. To make abstracts or copies of any and all instruments of record in any public office within this state, and certify the same in the official name and title of the commissioned abstractor, and under his or her official seal.

[7:180:1927; NCL § 1456]

NRS 240.310 Fees. Each commissioned abstractor shall be entitled to charge and receive, from a person or persons by whom the commissioned abstractor is employed, for services rendered, such fees as would be considered just and reasonable.

[8:180:1927; NCL § 1457]

NRS 240.320 Revocation of commission. The Secretary of State may at any time, for cause, revoke the commission of a commissioned abstractor.

[Part 3:180:1927; NCL § 1452](NRS A [1997, 941](#))

NRS 240.330 Penalties.

1. For any misconduct or neglect in any of the matters in which any commissioned abstractor appointed under the authority of [NRS 240.240](#) to [240.330](#), inclusive, is authorized to act, the commissioned abstractor shall be liable on his or her official bond to the person or persons injured thereby for all damages sustained.

2. For any willful violation or neglect any commissioned abstractor shall be subject to criminal prosecution, and may be punished by fine not exceeding \$2,000 and removal from office.

[9:180:1927; NCL § 1458]