

## 2023 Kansas Statutes

**53-5a20. Journal.** (a) A notary public shall maintain a journal in which the notary public chronicles all notarial acts that the notary public performs. The notary public shall retain the journal for 10 years after the performance of the last notarial act chronicled in the journal.

(b) A journal shall be created on a tangible medium or in an electronic format. A notary public shall maintain only one journal in a tangible medium or one or more journals in an electronic format to chronicle all notarial acts performed regarding electronic records. If the journal is maintained on a tangible medium, it shall be a permanent, bound register with numbered pages. If the journal is maintained in an electronic format, it shall be in a permanent, tamper-evident electronic format complying with the rules and regulations of the secretary of state.

(c) An entry in a journal shall be made contemporaneously with performance of the notarial act and contain the following information:

- (1) The date and time of the notarial act;
- (2) a description of the record, if any, and type of notarial act;
- (3) the full name and address of each individual for whom the notarial act is performed;
- (4) if identity of the individual is based on personal knowledge, a statement to that effect;
- (5) if identity of the individual is based on satisfactory evidence, a brief description of the method of identification and the identification credential presented, if any, including the date of issuance and expiration of any identification credential; and
- (6) the fee, if any, charged by the notary public.

(d) If a notary public's journal is lost or stolen, the notary public shall promptly notify the secretary of state on discovering that the journal is lost or stolen.

(e) On resignation from, or the revocation or suspension of, a notary public's commission, the notary public shall retain the notary public's journal in accordance with subsection (a) and inform the secretary of state where the journal is located.

(f) Instead of retaining a journal as provided in subsections (a) and (e), a current or former notary public may transmit the journal to a repository approved by the secretary of state.

(g) On the death or adjudication of incompetency of a current or former notary public, the notary public's personal representative or guardian or any other person knowingly in possession of the journal shall:

- (1) Retain the notary public's journal in accordance with subsection (a) or transmit the journal to a repository approved by the secretary of state; and
- (2) inform the secretary of state where the journal is located.

(h) This section shall take effect on and after January 1, 2022.

**History:** L. 2021, ch. 64, § 20; July 1.