



The Commonwealth of Massachusetts
House of Representatives
State House, Boston 02133-1054

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House and Senate Authorize Virtual Notarizations

BOSTON –The House of Representatives and the Senate have approved legislation authorizing notaries public to conduct electronic notarization of documents during the ongoing novel coronavirus State of Emergency.

State Representative Todd Smola (R-Warren) said Senate Bill 2645 will allow Massachusetts residents to obtain notarization services for executing wills, real estate title transfers, guardianships, health care proxies, and other essential documents while using real-time videoconferencing to help maintain proper social distancing. The bill was enacted in both legislative branches on April 23 and is now on Governor Charlie Baker’s desk awaiting his signature.

Senate Bill 2645 establishes strict parameters for validating virtual notary transactions, including requiring the notary public and each of the principals involved to be physically present in the Commonwealth. Copies of the video recording and all related documents must be retained by the notary public for a period of 10 years.

The bill also requires each principal involved in an electronic notarization transaction to provide the notary public with satisfactory evidence of their identity, which can include a government-issued ID containing the individual’s photo and signature. The principal must also arrange for the executed document to be delivered to the notary public following the video conference.

For transactions involving mortgages and real estate title transfers, a secondary form of ID must also be provided, such as a credit card, Social Security card, municipal tax bill, or a utility bill. A follow-up video conference is also required for these types of transactions so the notary public can confirm the document received matches up with the document that was executed during the initial video conference.

The provisions of Senate Bill 2645 will remain in effect until three business days after the State of Emergency is lifted. Representative Smola noted these temporary measures are needed to carry out notary work while eliminating the need for person-to-person contact to help slow the spread of the coronavirus.

For additional information please contact Representative Smola at Todd.Smola@mahouse.gov or (617)722-2100.

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