

§1916. Certificate of notarial act

1. Certificate required. A notarial act must be evidenced by a certificate. The certificate must:

A. Be executed contemporaneously with the performance of the notarial act; [PL 2021, c. 651, Pt. A, §4 (NEW); PL 2021, c. 651, Pt. A, §8 (AFF).]

B. Be signed and dated by the notarial officer and, if the notarial officer is a notary public, be signed in the same manner as on file with the Secretary of State; [PL 2021, c. 651, Pt. A, §4 (NEW); PL 2021, c. 651, Pt. A, §8 (AFF).]

C. Identify the jurisdiction in which the notarial act is performed; [PL 2021, c. 651, Pt. A, §4 (NEW); PL 2021, c. 651, Pt. A, §8 (AFF).]

D. Contain the title of office of the notarial officer; [PL 2021, c. 651, Pt. A, §4 (NEW); PL 2021, c. 651, Pt. A, §8 (AFF).]

E. If the notarial officer is a notary public, indicate the date of expiration of the officer's commission; and [PL 2021, c. 651, Pt. A, §4 (NEW); PL 2021, c. 651, Pt. A, §8 (AFF).]

F. Contain the legibly printed or typed name of the notarial officer. [PL 2021, c. 651, Pt. A, §4 (NEW); PL 2021, c. 651, Pt. A, §8 (AFF).]

[PL 2021, c. 651, Pt. A, §4 (NEW); PL 2021, c. 651, Pt. A, §8 (AFF).]

2. Stamp requirements. If a notarial act regarding a tangible record is performed by a notarial officer, an official stamp may be affixed to or embossed on the certificate. If a notarial act regarding an electronic record is performed by a notary public and the certificate contains the information specified in subsection 1, paragraphs B, C and D, an official stamp must be attached to or logically associated with the certificate.

[PL 2023, c. 304, Pt. B, §1 (AMD); PL 2023, c. 304, Pt. B, §7 (AFF).]

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

A. Is in a short form set forth in section 1917; [PL 2021, c. 651, Pt. A, §4 (NEW); PL 2021, c. 651, Pt. A, §8 (AFF).]

B. Is in a form otherwise permitted by the laws of this State; [PL 2021, c. 651, Pt. A, §4 (NEW); PL 2021, c. 651, Pt. A, §8 (AFF).]

C. Is in a form permitted by the law applicable in the jurisdiction in which the notarial act was performed; or [PL 2021, c. 651, Pt. A, §4 (NEW); PL 2021, c. 651, Pt. A, §8 (AFF).]

D. Sets forth the actions of the notarial officer and the actions are sufficient to meet the requirements of the notarial act as provided in sections 1905, 1906 and 1907 or a law of this State other than this chapter. [PL 2021, c. 651, Pt. A, §4 (NEW); PL 2021, c. 651, Pt. A, §8 (AFF).]
[PL 2021, c. 651, Pt. A, §4 (NEW); PL 2021, c. 651, Pt. A, §8 (AFF).]

4. Execution of certificate certifies compliance. By executing a certificate of a notarial act, a notarial officer certifies that the officer has complied with the requirements and made the determinations specified in sections 1904, 1905 and 1906.

[PL 2021, c. 651, Pt. A, §4 (NEW); PL 2021, c. 651, Pt. A, §8 (AFF).]

5. Notarial act to precede signature. A notarial officer may not affix the officer's signature to, or logically associate it with, a certificate until the notarial act has been performed.

[PL 2021, c. 651, Pt. A, §4 (NEW); PL 2021, c. 651, Pt. A, §8 (AFF).]

6. Certificate to be attached. If a notarial act is performed regarding a tangible record, a certificate must be part of, or securely attached to, the record. If a notarial act is performed regarding an electronic record, the certificate must be affixed to, or logically associated with, the electronic record.

If the Secretary of State has established standards by rule pursuant to section 1928 for attaching, affixing or logically associating the certificate, the process must conform to the standards.

[PL 2021, c. 651, Pt. A, §4 (NEW); PL 2021, c. 651, Pt. A, §8 (AFF).]

SECTION HISTORY

PL 2021, c. 651, Pt. A, §4 (NEW). PL 2021, c. 651, Pt. A, §8 (AFF). PL 2023, c. 304, Pt. B, §1 (AMD). PL 2023, c. 304, Pt. B, §7 (AFF).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the First Special Session of the 132nd Maine Legislature and is current through October 1, 2025. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.