

§ 10B-55. Disposition of seal; death of notary.

(a) When a notary commission has expired, has been revoked, or the notary has resigned, the notary shall deliver the notary's seal to the Secretary within 45 days of the expiration, resignation, or revocation. Delivery shall be accomplished by hand delivery, courier service, certified mail, return receipt requested, or other means offered by the United States Postal Service allowing confirmation of delivery by signature. The Secretary shall destroy any seal received under this subsection.

(b) A notary whose commission has expired and whose previous commission or application was not revoked or denied by this State, is not required to deliver the seal to the Secretary as provided under subsection (a) of this section if the notary intends to apply to be recommissioned and is recommissioned within three months after the notary's commission expires.

(c) If a notary dies while commissioned or before fulfilling the disposition of seal requirements in this section, the notary's estate shall, as soon as is reasonably practicable and no later than the closing of the estate, notify the Secretary in writing of the notary's death and deliver the notary's seal to the Secretary for destruction. A personal representative who is not a notary does not have to comply with the provisions of this subsection if he or she provides a statement under oath in any enforcement proceeding that he or she was unaware that the decedent was a commissioned notary public at the time of death. (2005-391, s. 4; 2013-204, s. 1.3; 2023-57, s. 5(d).)