

June 20, 2023

Ms. Jenna M. Griswold
Colorado Secretary of State
1700 Broadway, Suite 550
Denver, CO 80290

[Via: SoS.Rulemaking@coloradosos.gov](mailto:SoS.Rulemaking@coloradosos.gov)

Re: Comments on Proposed Rule Changes to Notary Program Rules, 8 CCR 1505-11

Dear Ms. Griswold,

Comments to the above-referenced proposed rule changes, are as follows:

Rule 2.3 Communication

There can be no ambiguity around a signer's consent to be legally bound to a legal record, and for that person to be properly notified of their rights, despite language or disability. Any measure that secures the rights of a person to be properly informed, and to provide consent to assure the integrity of communication with the notary public, is welcomed.

Rule 5.2.7 Notary Fee Increase

Praise and gratitude for increasing the legal amount a notary can charge for remote online notarization, from \$10 to \$25. Members of our RON platform can also expect to receive their entire legal notary fee. This fee increase will directly benefit the community we are building. This fee increase better acknowledges the value that a notary Commission provides and the additional requirements to deliver that service remotely.

This rule change will attract good people from all over Colorado who see they can earn an independent income as a remote online notary, serving customers nationwide. Single mothers, and others working remotely, can build a home-based business with us, and are most welcome.

Rule 5.3.1 Provider Protocols

Colorado looked to MISMO standards for all notarial acts performed remotely. The video recording of a select portion of the notarization session, and storage in archives for ten years, stacks on our credential analysis of a government-issued ID, to deter fraudsters. And we provide more from PKI than rendering a notarized PDF to be "tamper-evident", and also provide for long-term validation of the PDF, despite certificate expirations, for the duration of archival storage of the video recording, and beyond. In the age of AI, the security and durability of a notarized PDF must become a paramount consideration of any RON service provider.

Rule 5.3.3 Criteria and Standards for approval of remote notarization system providers.

Taking a zero-trust approach to terminate a formerly approved remote notary public is not warranted, nor is it reasonable or fair imposing this policing and compliance burden on service providers. An approved notary public knows very well the duties and responsibilities they have assumed, and the 99.9% of them deserve respect for all the good faith and goodwill extended, to faithfully perform their duties.

This particular rule and its compliance requirement can be comfortably set aside, in light of the actual risk, and in view of the other required compliance standards already in place.

We suggest the Notary Program manager can simply email the RON service providers of record, to declare that legal authority of a particular notary public is terminated, for whatever reason. Service Providers are obligated to terminate access immediately, and 24 hours is a reasonable response time for that. To require integration of a software process and API call to the state notary database, every single time our Members open a video room, is a lot of process to simply weed out, and stop a bad acting notary who records themselves as part of their criminal act.

This protocol imposes responsibility on service providers to create a lock, key and door to prevent entry by a rogue, formerly approved Colorado notary. Given proper notice that their Commission is no longer active, this protocol anticipates the risk they will act intentionally and unlawfully, to charge a fee, and record the session for ten year's duration and evidence of their fraud. In this context, the notary can only be acting with criminal intent. Notice of Commission termination, sent via email to their declared service provider, is safe, direct, simple, and hopefully, a rarely exercised security measure.

IntegraNotary is building the new standard in legal instruments, to offer its platform to a select community of Colorado notaries public. Our vision of justice who are guardians of integrity, and by their Commission, notarize legal instruments with state-of-the-art security and assurances, every step of the way.



For Comments, expressions of interest to test our platform, and/or to apply for membership with IntegraNotary, please email: support@integranotary.com.

Christopher M. Sullivan, Esq.
Founder and CEO
Boulder, Colorado



IntegraNotary

Code of Ethics and Professionalism

Impartiality: All notaries public are expected to act impartially and without bias. They should not favor any party involved in a transaction and should treat all individuals equally.

Integrity and Honesty: Notaries public should uphold the highest standards of integrity and honesty. They should refuse to perform any notarial act that is illegal, fraudulent, or unethical.

Confidentiality: Notaries public must maintain the confidentiality of the information they handle during notarial acts. They should not disclose or misuse any confidential or personal information obtained during the notarization process.

Competence: Notaries public should possess the necessary knowledge and skills to perform notarial acts accurately and effectively. They should stay updated on the laws and regulations related to notarial practices in their respective states.

Compliance with Laws and Regulations: Notaries public should adhere to all applicable laws, regulations, and guidelines governing notarial acts in their jurisdiction. They should be familiar with the specific requirements and restrictions in their state.

Record-Keeping: Notaries public are responsible for maintaining proper records of their notarial acts, including accurate and complete journal entries, as required by state laws.

Security: The notary should protect and secure any records in their possession and control, to ensure their integrity and confidentiality. The notary should refrain from the use of any personal information, except as strictly required for the notarial act performed.

Education and Continuing Education: Member notaries public must learn and understand the specific laws and regulations set by Colorado notary program. These laws outline the legal and ethical responsibilities of notaries public and provide detailed guidance on the appropriate conduct and practices expected of them to perform their duties and discharge the responsibilities of their Commission, with honor and confidence.

Time: All notarizations include process and quality control, by reference to the NIST atomic clock, located in Boulder, Colorado. This ensures the integrity of the timestamp embedded with their electronic seal in each instrument notarized on our platform.

Legacy: Future generations can verify the integrity of our PDF record, created and delivered to be the *New Standard in Legal Instruments*. This PDF file memorializes an agreement entered into freely, with informed consent, and declared to be legally binding, by curation and guidance of a notary public, and secured with PKI security, for long-term validation.