VIRGINIA'S NOTARY SPOTLIGHT

VOL 02

New Notary Laws July 1, 2026

House Bill 163/ Senate Bill 316

Proof required to obtain seal.

Once a notary public has been granted his/her notary commission by the Secretary, such notary public shall present proof of his/her commission to a vendor or manufacturer for purposes of obtaining a seal/stamp to affix on paper documents as required by the provisions of this title. The notary public and vendor or manufacturer shall retain such proof of commission for no less than five years.

What This Means for You:
You will no longer be able to simply order a seal/stamp without documentation. Be prepared to provide proof of your commission when purchasing your notary seal/stamp and ensure that both you and the vendor maintain that documentation for five years.

Journal Requirement of ALL Notaries

The record of any nonelectronic notarial act performed on or after July 1, 2026, shall be maintained for a period of at least five years from the date of the transaction. The electronic record of an electronic notarial act shall be maintained for a period of at least five years from the date of the transaction.

What This Means for You:
All notaries—including traditional (paper) notaries—are now required to maintain a journal of all notarial acts. You must keep these records for at least five years, so if you are not currently keeping a journal, you will need to begin doing so.

Effective July 1, 2027
The following laws have been passed but will take effect next year:

Electronic Filing of Land Records
Courts will implement systems for electronic land record filings. Paper filings will still be permitted at a cost of $5.00.
This bill supports modernization and increased efficiency in record management.

Property Alert Electronic Notification System
Enhances fraud prevention by allowing property-related notifications.
Helps property owners monitor potential unauthorized filings.

Course of Instruction & Examination Requirements
New requirements for both initial commissions and recommissions. Mandatory education and training course.
Includes instruction on:

- Notary laws and procedures
- Identity verification
- Fraud detection and prevention
- Written examination required

Training must be completed within 6 months prior to application.

Duty of Settlement Agents

Establishes a statutory standard of care for settlement agents.

Requires reasonable steps to verify identity and ensure proper handling of real estate transactions.

Reinforces accountability and consumer protection in property transactions.

What This Means for You:

If you also serve in real estate or settlement-related roles, this law reinforces identity verification responsibilities and proper handling of transactions. Even if you do not act as a settlement agent, you may notice increased scrutiny and documentation requirements in real estate notarizations.

Be Ready For What's Next

- Stay informed on training requirements coming in 2027
- Expect continued modernization in electronic filings and fraud prevention tools

Secretary of the Commonwealth

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