

TITLE 655. SECRETARY OF STATE
CHAPTER 35. CERTIFICATION AUTHORITIES

RULEMAKING ACTION:

EMERGENCY adoption

RULES:

Subchapter 1. General Provisions [NEW]

655:35-1-1. Purpose [NEW]

Subchapter 3. Reciprocity [NEW]

655:35-3-1. Reciprocity [NEW]

655:35-3-2. Lapse of out-of-state license [NEW]

AUTHORITY:

Secretary of State; 12A O.S., § 15-121; 49 O.S., § 203

COMMENT PERIOD:

Although not required for proposed emergency rules, as set forth in 75 O.S., § 253(J)(1), the Secretary of State held an abbreviated comment period from October 15, 2019 through October 31, 2019.

ADOPTION:

November 7, 2019

EFFECTIVE:

Immediately upon Governor's approval

EXPIRATION:

Effective through September 14, 2020, unless superseded by another rule or disapproved by the Legislature

SUPERSEDED EMERGENCY ACTIONS:

n/a

INCORPORATIONS BY REFERENCE:

n/a

FINDING OF EMERGENCY:

Emergency rules that establish certification authority reciprocity with states, U.S. territories, and foreign jurisdictions, as authorized by 12A O.S., § 15-121, are needed for the January 1, 2020, implementation of the Remote Online Notary Act [SB 915 (2019)].

GIST/ANALYSIS:

These proposed emergency amendments affect certification authorities who wish to issue digital certificates in the state of Oklahoma. A certification authority must provide proof of registration in at least one state, U.S. territory, or other foreign jurisdiction.

Certification authorities issue digital certificates, which are required during the remote online notarization process.

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**PURSUANT TO THE ACTIONS DESCRIBED HEREIN, THE FOLLOWING
EMERGENCY RULES ARE CONSIDERED PROMULGATED AND EFFECTIVE**

UPON APPROVAL BY THE GOVERNOR AS SET FORTH IN 75 O.S., SECTION 253(D):

SUBCHAPTER 1. GENERAL PROVISIONS

655:35-1-1. Purpose

This Chapter establishes the procedures used by the Oklahoma Secretary of State to implement the provisions of 12A O.S., § 15-121(g)-(h).

SUBCHAPTER 3. RECIPROCITY

655:35-3-1. Reciprocity

Any certification authority that is registered in at least one state, U.S. territory, or other foreign jurisdiction may file with the Secretary of State proof of such registration. If the registration is current, then the Secretary of State shall allow the certification authority to operate in this state.

655:35-3-2. Lapse of out-of-state license

(a) If or when the out-of-state registration lapses, the certification authority may no longer operate in this state.

(b) If the out-of-state registration is reinstated, the certification authority may file proof of reinstatement with the Secretary of State, and the certification authority may again operate in this state.