



RULE-MAKING ORDER EMERGENCY RULE ONLY

CR-103E (December 2017) (Implements RCW 34.05.350 and 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: November 17, 2020

TIME: 10:57 AM

WSR 20-23-080

Agency: Department of Licensing

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) _____

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- Yes
 - No
- If Yes, explain:

Purpose: While working to adopt permanent rules regarding Remote Notarization, pursuant to SB 5641, the Department received additional input from stakeholders on the rule language. In response to this input, the Department is withdrawing the current emergency rule filed on Sept. 21, 2020 filed under WSR-20-19-119 and replacing the current emergency rule with language that ensures consistent standards are adopted. The Department is currently pursuing permanent rulemaking to implement remote notarization. The department originally filed notice for permanent rulemaking regarding SB 5641 under WSR 20-06-073. Interested stakeholders can participate in the rulemaking process for the permanent rules by contacting rulescoordinator@dol.wa.gov.

Citation of rules affected by this order:

- New:
- Repealed:
- Amended: Chapter 308-30 WAC Notaries public
- Suspended:

Statutory authority for adoption: RCW 42.45.250

Other authority: N/A

EMERGENCY RULE

Under RCW 34.05.350 the agency for good cause finds:

- That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding: This emergency rulemaking is enacted to decrease in-person notarization to assist with COVID-19 response efforts, allowing remote notarization in Washington State ahead of permanent rules being adopted in accordance with SB 5641 implementation.

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.

The number of sections adopted in order to comply with:

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	<u>1</u>	Amended	_____	Repealed	_____

The number of sections adopted at the request of a nongovernmental entity:

New 1 Amended Repealed

The number of sections adopted on the agency's own initiative:

New Amended Repealed

The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New Amended Repealed

The number of sections adopted using:

Negotiated rule making:	New <u> </u>	Amended <u> </u>	Repealed <u> </u>
Pilot rule making:	New <u> </u>	Amended <u> </u>	Repealed <u> </u>
Other alternative rule making:	New <u> </u>	Amended <u> </u>	Repealed <u> </u>

Date Adopted: November 17, 2020

Name: Damon Monroe

Title: Agency Rules Coordinator

Signature:

