

**OFFICE OF THE NEW MEXICO SECRETARY OF STATE**

IN REFERENCE:

RULEMAKING PROCEEDING FOR THE REPEAL OF  
12.9.2 NMAC – PERFORMING ELECTRONIC NOTARIAL ACTS

**CONCISE EXPLANATORY STATEMENT**

The Office of the New Mexico Secretary of State (“SOS”) hereby repeals Performing Electronic Notarial Acts rule; that is codified as 12.9.2 NMAC.

(1) Statutory Authority for Rule Promulgation:

This rule is authorized by Section 14-14A-26 NMSA 1978.

(2) Effective Date of Repeal:

January 1, 2022

(3) Date of Adoption of Rule:

November 10, 2021

(4) Reasons for Adopting Rule:

This rule is being repealed as the authorizing law, Uniform Law on Notarial Acts, was repealed by the legislature in 2021. This rule is being replaced by 12.9.3 NMAC – NOTARIAL PROCEDURES and 12.9.4 NMAC –REMOTE ONLINE NOTARIZATIONS adopted by the Secretary of State pursuant to the authority granted under the new Revised Uniform Law on Notarial Acts adopted by the legislature in 2021 and effective January 1, 2022.

(5) Reasons for changes from Published Rule:

Not applicable

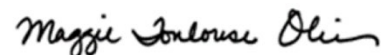
(6) Reasons for Not Accepting Substantive Arguments from Public Comment:

Not applicable

The proposed repeal is hereby adopted as of the date of this Concise Explanatory Statement.

**IT IS SO ORDERED.**

ON BEHALF OF THE OFFICE OF THE  
NEW MEXICO SECRETARY OF STATE



11/10/2021

DATE

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Maggie Toulouse Oliver  
Secretary of State