RULONA Update and Business Registration in Pennsylvania

Pennsylvania On-Line Messenger Association Meeting
October 2, 2023

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Electronic/Remote Notarization

- The electronic notarization program was established on January 30, 2006.
- Remote notarization came in phases, beginning temporarily for limited transactions on March 25, 2020 and culminating with Act 97 of 2020, effective October 29, 2020.
- Act 97 made remote online notarization a permanent part of Pennsylvania law. Both electronic and remote notarization are permitted in Pennsylvania.

Electronic Notarization/IPEN

- Electronic notarization (eNotarization) or In Person Electronic Notarization (IPEN) involves documents that are notarized in electronic form.
- The notary and customer both sign with an electronic signature, and both the notarial certificate and the notary seal are attached to or logically associated with the electronic record.
- Rather than a paper document and a rubber stamp notary seal, the notary digitally places his or her seal information into a document which exists as electronic data in a computer-readable form.

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Electronic Notarization/IPEN

But all other elements of a traditional paper notarization apply to electronic notarization, including the requirement for the signer to appear personally (physically) before the notary.

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Remote Online Notarization (RON)

- With **remote online notarization (RON)**, the legal requirement that the signer personally and physically appear before the notary is met using audio-visual electronic communication technology.
- The important role that the notary plays when a statement is made in or a signature executed on a record now occurs remotely over the internet, with a document that is in electronic form.

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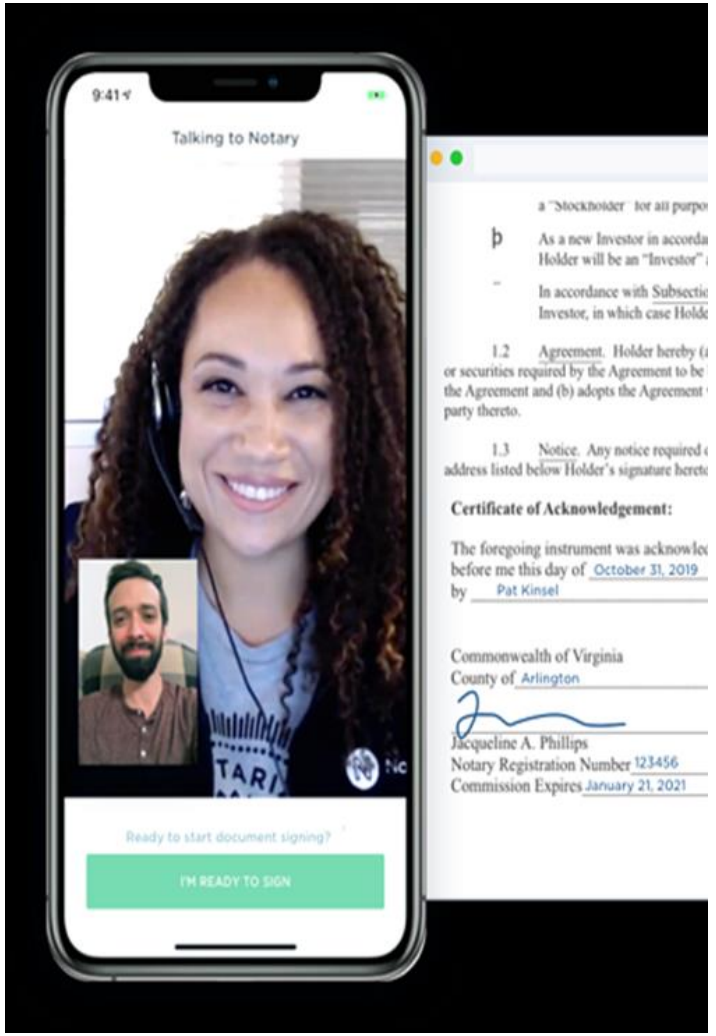
Remote Online Notarization (RON)

- Remote online notarization is also called remote notarization, webcam notarization, online notarization or virtual notarization.
- A PA notary public **must** be in PA when engaging in remote notarization and **must** use an approved technology.



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Remote Online Notarization (RON)

RON Certificate – In addition to containing the elements of § 315 and § 316, the certificate must indicate that the notarial act was performed by means of communication technology.*

- Ex. "This notarial act involved the use of communication technology."

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Remote Online Notarization (RON)

Communication Technology – The notary must:

- Identify the customer.
- Identify the record.
- Create an audio-visual recording of the performance of the notarial act (retained for 10 years) or other period established by regulation.

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Remote Online Notarization (RON)

Identifying the Remotely Located Individual – The notary must:

- Have personal knowledge of individual's identity.
- Identify the individual by oath or affirmation of credible witness.
- Be able to reasonably identify the individual by at least two different types of identity proofing processes or services.

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Becoming an IPEN or RON notary

- Before a notary public performs the notary's initial remote notarial act, the notary must notify the Department (DOS) that the notary will be performing notarial acts facilitated by communication technology and identify the technology.
- If DOS has established standards for approval of communication technology or identity proofing, the communication technology and identity proofing must conform to the standards.

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Becoming an IPEN or RON notary

notaries.pa.gov (ENotary Services)

- Application
- DOS email to notary
- Notary logs in and select vendor(s)
- Vendor notifies DOS

“e-notary capable” = electronic/remote

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ONLINE APPLICATION

Online Notary Application & Reappointment

Check New Application Status

Update Notary Info

Notary Searchable Database & eServices

ENotary Services

- Application
- Check Status
- Select Vendors

Partner Login

Becoming an IPEN or RON notary

- No separate commission required.
- Repeat notification to DOS at the beginning of each four-year commission.
- May add or delete vendors at any time during commission.

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Other RULONA Updates

Regulations – Winter 2023/2024 as proposed

- Up to $20 per notarial act via IPEN/RON (in addition to regular fee)
- Bond - $15,000 to $25,000

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Bureau of Corporations and Charitable Organizations (BCCO)

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Association

“Association” per 15 Pa.C.S. § 102

A corporation, for profit or not-for-profit, a partnership, a limited liability company, a business or statutory trust, an entity or *two or more persons* associated in a common enterprise or undertaking.

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Domestic Entities

Corporation – business

Corporation – nonprofit

Limited liability company

Limited partnership

General partnership*

Unincorporated nonprofit association*

Professional association

Business trust

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Non-Associations

Sole proprietorship ≠ association

Fictitious name or d/b/a registration ≠ association

(but the name may be owned by one)

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Fictitious Name

- **Fictitious name.** Any assumed or fictitious name, style or designation *other than the proper name* of the *entity* using such name. The term includes a name assumed by a general partnership, syndicate, joint adventureship or similar combination or group of persons.
- **Entity** = individual or association or other combination or group of persons, regardless of whether it is organized or formed under the laws of this Commonwealth or any other jurisdiction.
- **Business**. Any commercial or professional activity.

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Fictitious Name Quiz

Register fictitious name or not?

- Martha Brown
- Martha Brown's Bagels
- Martha's Muffins
- Brown's Best Bagels of Bethlehem
- Brown's Best Bagels of Bethlehem, Inc.
- Brown's Best Bagels of Bethlehem, LLC

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Filings Made with DOS/BCCO

Type of filing entity	Filing made with Department of State	Type of registration filing made with DOS
General Partnership	Maybe	Fictitious name
Limited Partnership	Yes	Certificate of Limited Partnership
Limited Liability Company	Yes	Certificate of Organization
Corporation	Yes	Articles of Incorporation
Unincorporated Nonprofit Association	Maybe	Fictitious Name
Professional Association	Yes	Articles of Association
Business Trust	Yes	Deed of Trust Trust Instrument

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Filings Made with DOS/BCCO

Other	Filing made with Department of State	Type of registration filing made with DOS
Sole Proprietorship	Maybe	Fictitious name
Limited Liability Partnership/Limited Liability Limited Partnership	Yes	Statement of Registration (for GP and LP) Certificate of Limited Partnership (for LP)
Out of state LP, LLP, LLLP, LLC, corporation, professional association or business trust	Yes	Foreign Registration Statement

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Public Information

Search database and order copies at **file.dos.pa.gov**

“Starting with” search is default but advanced searches are possible

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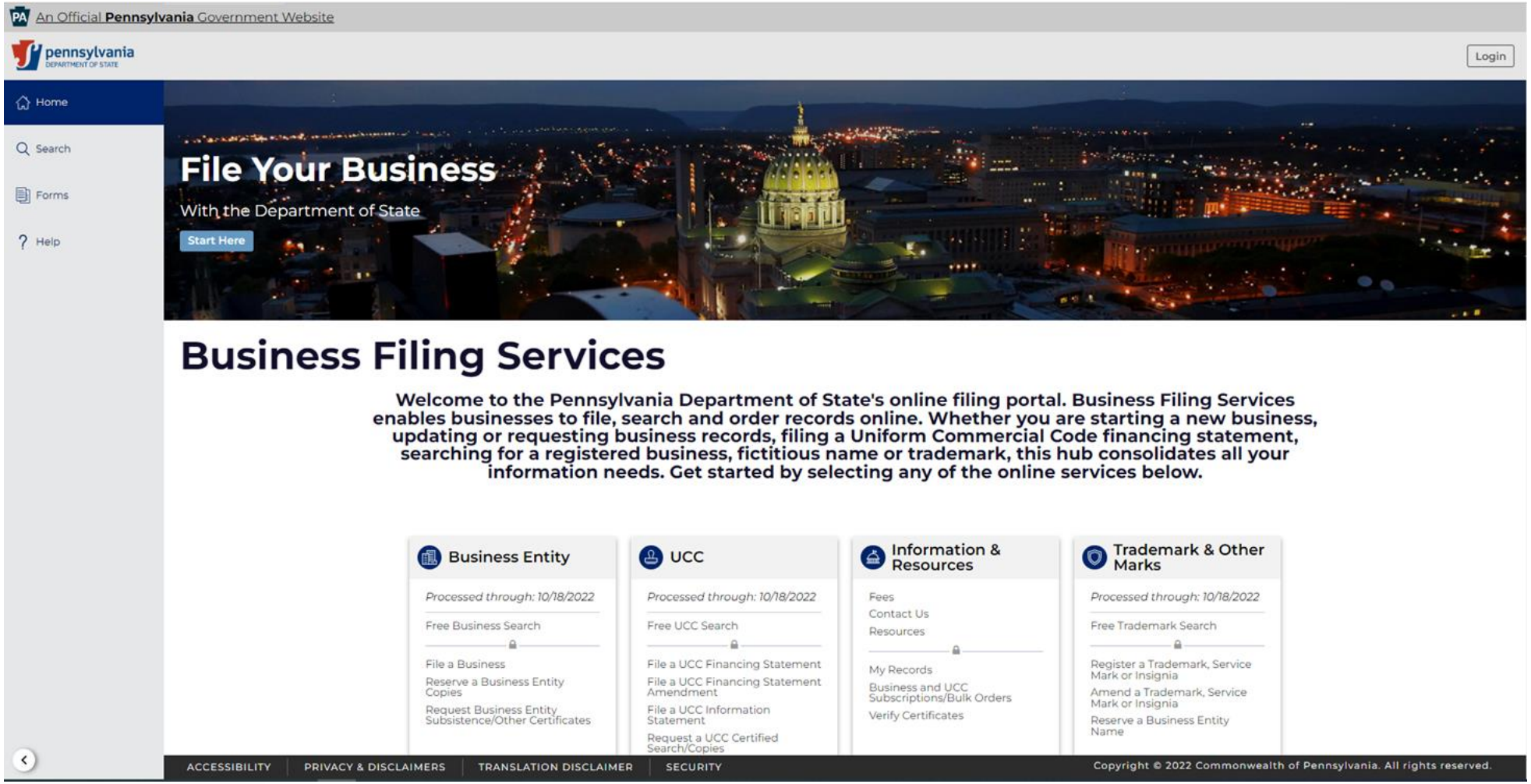
Landing Page



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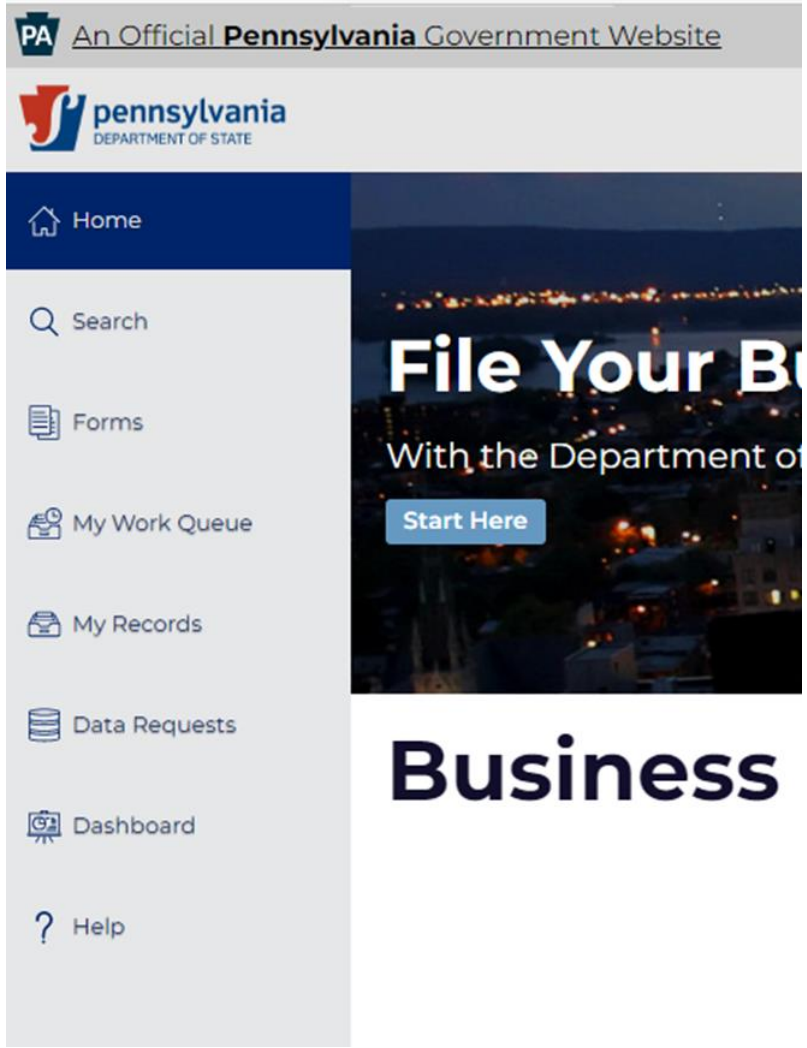
Navigation



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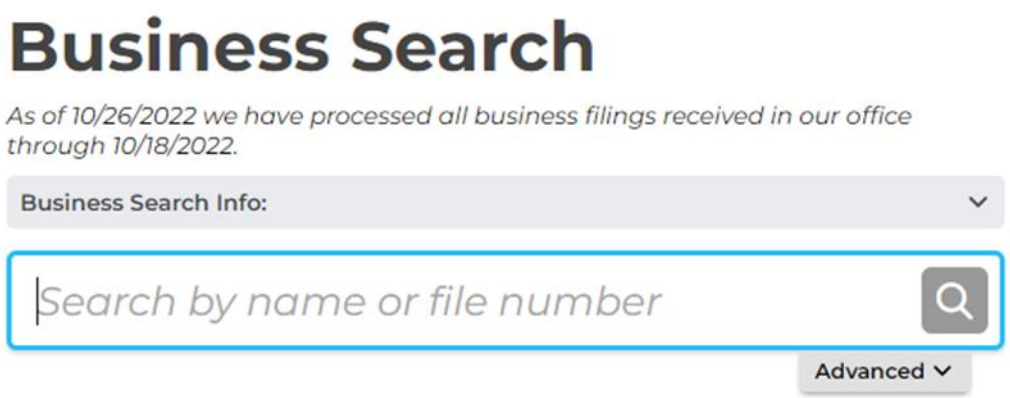
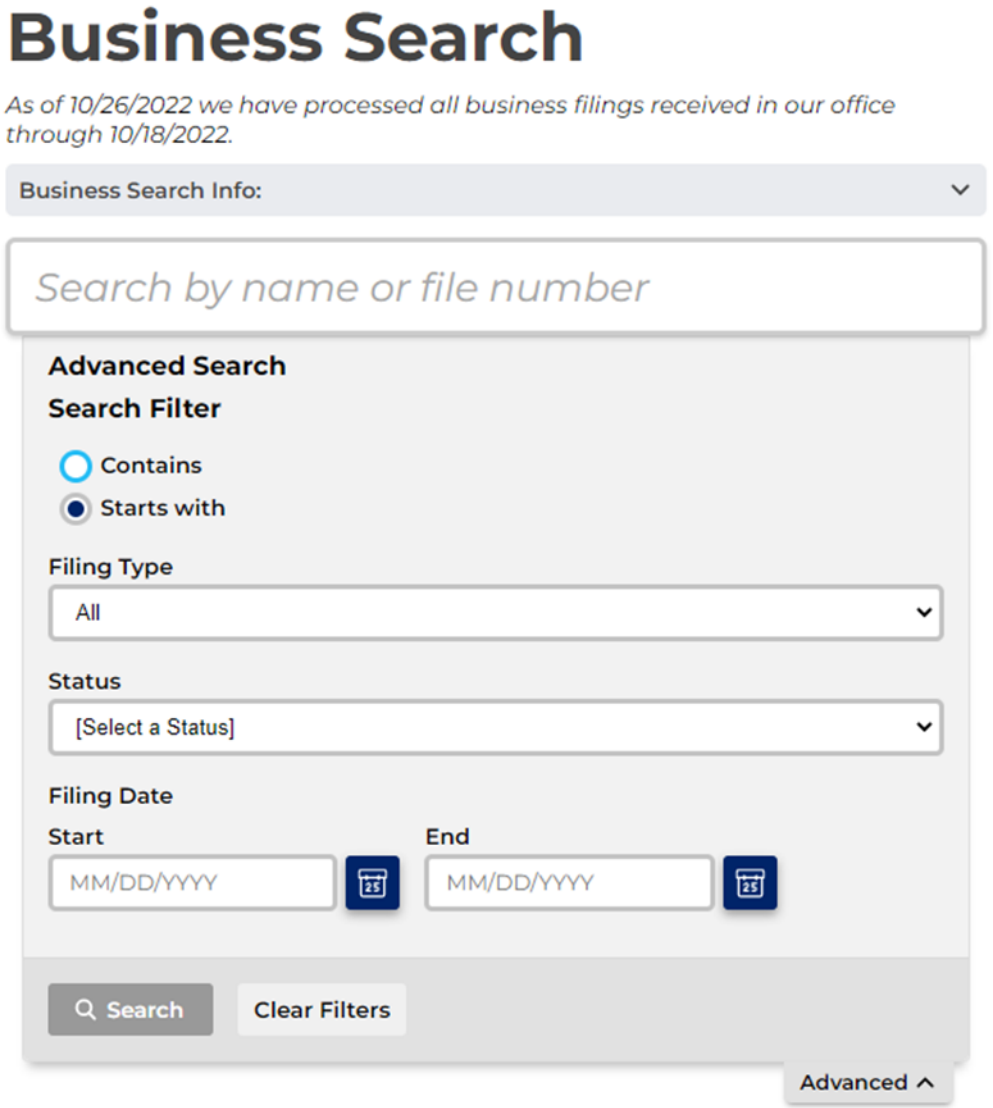
Business Search





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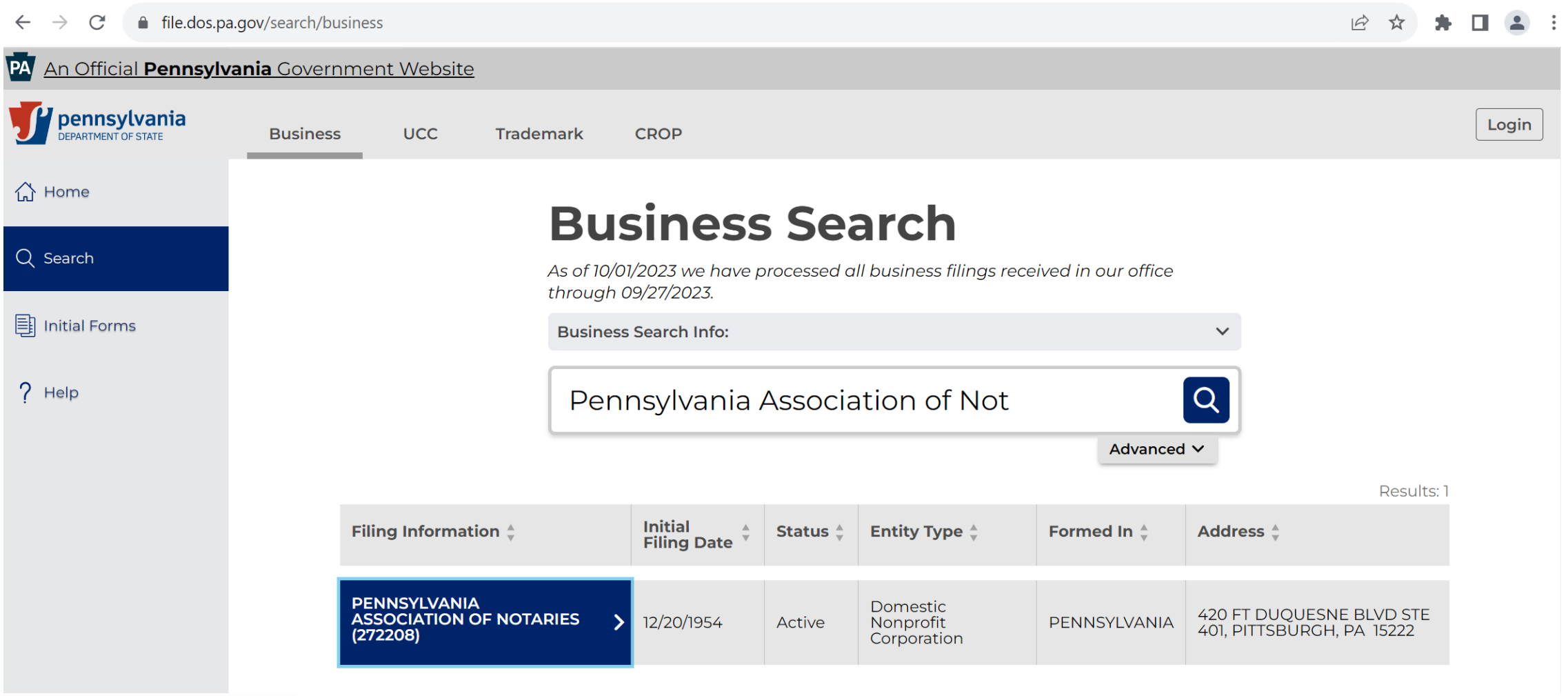
Public Information



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Public Information

Business Search

As of 10/01/2023 we have processed all business filings received in our office through 09/27/2023.

Business Search Info:

Pennsylvania Association of Not

Advanced

Results: 1

Filing Information	Initial Filing Date	Status	Entity Type	Formed In	Address
PENNSYLVANIA ASSOCIATION OF NOTARIES (272208)	12/20/1954	Active	Domestic Nonprofit Corporation	PENNSYLVANIA	420 FT DUQUESNE BLVD STE 401, PITTSBURGH, PA 15222

PENNSYLVANIA ASSOCIATION OF NOTARIES (272208)

Request Certificate

Initial Filing Date	12/20/1954
Status	Active
Formed In	PENNSYLVANIA
Filing Type	Domestic Nonprofit Corporation
Filing Subtype	Nonprofit Corporation
Registered Office	420 Ft Duquesne Blvd Ste 401 Pittsburgh, PA 15222 County: Allegheny

View History

Request Access

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Public Information

History

Expand All

Conversion with Formation - *10/29/2022*

Amendment Type
Conversion with Formation
Control ID
0003553131
Date
10/29/2022

Field Name	Changed From	Changed To
Filing Type	Domestic Business Corporation	Domestic Limited Liability Company
Filing Subtype	Business	Limited Liability Company
Filing Name	UNITED PACKAGING SUPPLY CO.	UNITED PACKAGING SUPPLY, LLC
Legal Address 1	727 WICKER AVE	102 WHARTON RD
Legal Address City	BENSALEM	BRISTOL
Legal Address Postal Code	19020-0	19007-1622

Decennial Report - *4/5/2011*

Articles of Amendment - Domestic Corporation - *1/10/1996*

Articles of Amendment - Domestic Corporation - *4/12/1994*

Initial Filing - *8/27/1992*

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Officer/Owner Information

- Officers listed only for business corporations that have paid their taxes
- Officers listed only for nonprofit corporations which have filed annual reports
- Filed documents can contain officer/owner names, but names not indexed
- Fictitious names do not have owners, but “interested individuals” or “interested entities”

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Public Information – Fictitious Name

Notary Bros (7480852)

Request Certificate

Initial Filing Date	03/16/2022
Status	Active
Formed In	PENNSYLVANIA
Filing Type	Fictitious Name
Principal Address	216 S. 48th Street Philadelphia, PA 19139
Interested Individuals	Owner Siani Jackson 216 S 48th Street Philadelphia PA 19139

Notary Anytime (6878171)

Request Certificate

Initial Filing Date	04/24/2019
Status	Active
Formed In	PENNSYLVANIA
Filing Type	Fictitious Name
Principal Address	1101 Park Street Tarentum, PA 15084
Interested Entities	Owner M.D.J. & E. Enterprises, LLC 1101 Park Street Tarentum PA 15084

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Officer/Owner Information

Type of association	Officer/owner information on DOS record	Internal association document showing ownership
General Partnership	No	Partnership Agreement
Limited Partnership	Yes (GPs)	Partnership Agreement
Limited Liability Company	No	Operating Agreement
Corporation	Yes (officers)	Certification of officers Minutes
Unincorporated Nonprofit Association	No	Certification of Officers Minutes
Professional Association	No	Certification of officers
Business Trust	No	Certification of officers
Foreign entity	Yes (corps only)	See above

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Coming Attractions

Annual reports for most filing associations
will be required beginning in 2025

This will result in more information about ownership on the public record
for those associations that file
and administrative dissolution/termination for those who do not

See dos.pa.gov/AnnualReports for more information

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Addresses

Each registered company (regardless of type or whether it is domestic or foreign (non-PA) company) must “have and continuously maintain in this Commonwealth a registered office which may, but need not, be the same as its place of business.”

Compliance issues

Use of commercial registered office provider (CROP) in lieu of a registered address. “c/o CROP” and not street address (e.g. c/o Corporation Service Company)

CROP addresses at www.dos.pa.gov/corps (link to Resources)

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Questions?

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Contact Information

Thank you!

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