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December 2, 2024

To Whom It Concerns:

In Re: Update on Legislation effective January 1, 2025

The Clerk of Thomas County Superior Court is notifying the public as to the changes that are being implemented due to Senate Bill (SB) 1292 relating to notary public commissions and real estate filings.

1. All notary commissions NEW or RENEWAL approved January 1, 2025 and future MUST
  - A. Take a notary training class offered by the Clerk's Authority within 30 days of the new commission. Every 4 years this training will be required.
  - B. Mandate that GA Notary Public must maintain a written or electronic journal for each notarial act performed at the request of a self-filer (real estate filings)
  
2. Real Estate, Self-Filers must set up an account with the Clerk's Authority with the New ID verification requirements. Each person or property owner wanting to file real estate documents must set up an account as a "Self-Filer" and upload their documents to be recorded. No, over the counter or mail in documents accepted by the Clerk by a "self-filer" on or after January 1, 2025. Please note each staff member in law-firm must have their own account if e-filing on behalf of the law-firm.

See attached both Notary Public Changes and Real Estate Changes.

Thank you for your attention in this matter,

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## **Notary Public Changes – EFFECTIVE 1/1/2025**

Effective 1/1/2025, Georgia's notaries public will be required to:

- Complete an educational training course as part of the application process
  - The educational requirement applies to ALL notary applicants, whether an initial (new) application or renewal application
  - The educational course is free-of-charge and is available at <https://eLearn.gsccca.org>
- Notaries public must maintain a journal of their notarial acts performed for real estate documents at the request of a self-filer. Journal entries shall include:
  - The name of the self-filer
  - The self-filer's address
  - The self-filer's telephone number
  - The date, time and location of notarization
  - The type of government-issued photo identification document presented by the self-filer, unless the self-filer was confirmed based on personal knowledge
  - Elements of such identification documents, if applicable, including any identifying number
  - The self-filer's signature
  - The type of document presented for notarization

**The new requirements become effective January 1, 2025.**

## **HB 1292 Changes REAL ESTATE – EFFECTIVE 1/1/2025**

HB 1292 modifies Georgia law and requires:

- All self-filers MUST eFile real estate documents.
- All individuals eFiling MUST have their identity verified through the Clerks' Authority eFile portal, <https://efile.gscca.org>. There are no exceptions.
- These groups may file via paper:
  - Federally insured banks or credit unions,
  - Georgia-licensed attorneys,
  - Mortgage lenders, (Georgia licensed or exempt)
  - Mortgage servicers, (as such term is defined in 12 C.F.R. Section 1024.2)
  - Georgia -licensed surveyors,
  - Title insurance companies, (Georgia licensed)
  - Georgia-licensed real estate brokers or salespersons,
  - Any public official.

**\*PLEASE NOTE: However, if a filer from one of the eight groups listed above chooses to eFile, they MUST have their identity verified, just as self-filers.**

- Identity verification of individuals electronically filing is performed by the Clerks' Authority
- The Clerks' Authority's eFiling portal, <https://efile.gscca.org>, is the ONLY portal through which real estate documents can be eFiled.
- All real estate documents, including liens and plats, that are eFiled will require ID verification effective January 1, 2025. UCC documents, except those filed on the real estate records, will not require ID verification when eFiled.
- Every person eFiling a real estate document must have successfully completed ID verification, which includes photographic verification. The GSCCCA system maintains the account holder status after verification.
- As adopted by the Board of Directors of the Clerks' Authority, *Real Estate Recording Rules for the State of Georgia* (effective January 1, 2025) can be found here: [https://www.gscca.org/docs/efiling-documents/gscca\\_georgia\\_real\\_estate\\_erecording\\_rules\\_new.pdf](https://www.gscca.org/docs/efiling-documents/gscca_georgia_real_estate_erecording_rules_new.pdf)

**The new requirements become effective January 1, 2025.**