

# Notary Application Instructions

Following these steps will help to ensure a complete application and timely approval. Failure to complete these steps accurately will cause the rejection of your application and a delay in receiving your commission.

## 1) Obtain your Notary Seal.

- Can be a rubber or embossing stamp, shaped as a circle, square or rectangle, that reflects your name **EXACTLY** as you will be commissioned and as you will sign when notarizing.
- Must include your name and the words “Notary Public” and “South Dakota” and if the seal is a rubber stamp it must also include the word “seal”.
- DO NOT include an expiration date inside the border of the seal – it must be OUTSIDE of the border.

## 2) Complete the Notary Application.

- Make a legible imprint of your seal in the box. If you have two seals, include both on the application or a separate sheet.
- Complete your name **EXACTLY** as it appears on your seal.
- The residence address MUST be your physical address. A post office box, business address or your mailing address alone is not acceptable. If your mailing address is different than your residence address, enter the address, city, state, and zip.
- Complete the questions regarding if you have been a South Dakota Notary, your date of birth and whether you have ever been convicted of a felony. **NOTE: Failure to answer any of these questions correctly or leaving them blank will cause your application to be rejected.**
- If you reside at an address in an out-of-state county bordering South Dakota, complete the Employer/Business Name and South Dakota Business Address. This **MUST** be a South Dakota address.

## 3) Complete the Oath portion of the application

- Enter the county where the oath is signed.
- Enter your name **EXACTLY** as it is on your seal and as it is entered in the top section.
- Date and sign the Oath with your name **EXACTLY** as it appears on your seal.

## 4) Complete the Bond information

The Attorney General’s office requires a \$5,000 Notary Public Bond to accompany the application. This bond would cover any unlawful acts performed with your notary commission. The bond can EITHER be a \$5,000 Surety Bond issued by an insurance company OR an individual personal surety.

### **Surety Bond**

- For a six-year, \$5,000 surety bond, contact a local insurance company to obtain a policy.
- Complete the Bond section of the application, listing your name exactly as it appears on your seal and as it is entered in the top section.
- Enter the Bond Number.
- Date the section.
- **BOTH** you and the surety must sign. Your signature must be **EXACTLY** as it appears on your seal.
- Do not complete the personal surety page of the application.
- If you prefer the personal surety, do not complete this section.
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### **Personal Surety**

- A personal Surety can be a friend, relative, spouse or co-worker who will sign on their own behalf and be liable for your \$5000 bond if you perform any unlawful acts with your notary commission. A personal surety must be an individual and **CANNOT** be a company, business or organization.
- Complete the Personal Surety Form by entering your name and your county of residence.
- Enter your personal surety’s full name, county of residence and full address.
- You (the notary) and your Personal Surety must **BOTH sign and date** the form in front of a **Notary Public who is NEITHER you nor your personal surety.**
- The Notary must notarize **BOTH** signatures and include the proper information in **BOTH** sections.
- A personal surety **CANNOT** have their name removed.

## 5) Enclose the \$30 filing fee and send completed application to the Secretary of State’s address listed on the form.

**ONLY after you have received a Notary Commission Certificate issued by the Secretary of State are you authorized to notarize documents.**

Should you have any questions, contact our office at 605/773-3537 or email [Notary@state.sd.us](mailto:Notary@state.sd.us).



# **Personal Surety Form**

Know all by these presents: That we, \_\_\_\_\_ (Notary applicant's name **EXACTLY** as it appears on your seal imprint), of the County of \_\_\_\_\_ and the State of South Dakota, as principal, and \_\_\_\_\_ (Personal Surety's name – must be an individual, not a business), County of \_\_\_\_\_, \_\_\_\_\_ (Address, City, Zip), State of South Dakota, as surety, are individually held firmly bound unto the State of South Dakota in the penal sum of five thousand dollars, for the payment of which we hereby jointly and severally bind ourselves, our heirs, executors, administrators and successors. Further, each of us deposes and says individually that we are worth \$5000, the amount of the bond, over and above our debts and liabilities, in unencumbered property, exclusive of property exempt from execution and forced sale under the laws of this state.

The conditions of this obligation are such that, if the above principal, \_\_\_\_\_ (Notary applicant's name **EXACTLY** as it appears on your seal imprint), who has or will be appointed Notary Public in the State of South Dakota, shall faithfully execute the duties of the office according to law, then this obligation shall be null and void, otherwise to remain in full force and effect.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

\_\_\_\_\_  
Applicant's Signature  
(**EXACTLY** as it appears on the seal imprint)

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

(SEAL)

\_\_\_\_\_  
Notary Public  
My commission expires: \_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

\_\_\_\_\_  
Personal Surety's Signature

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

(SEAL)

\_\_\_\_\_  
Notary Public  
My commission expires: \_\_\_\_\_

## **PLEASE NOTE:**

**A personal surety is liable for the bond for the six-year commission of the notary.**

**A personal surety cannot have the personal surety's name removed from the bond for any reason.**

**A personal surety or the applicant cannot notarize the Personal Surety Form.**