

This information is current as of
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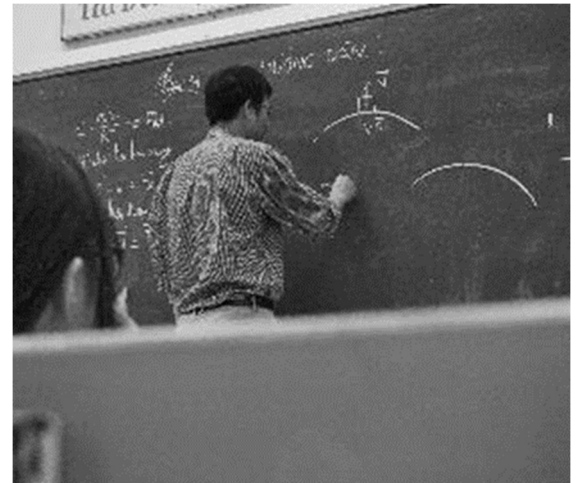


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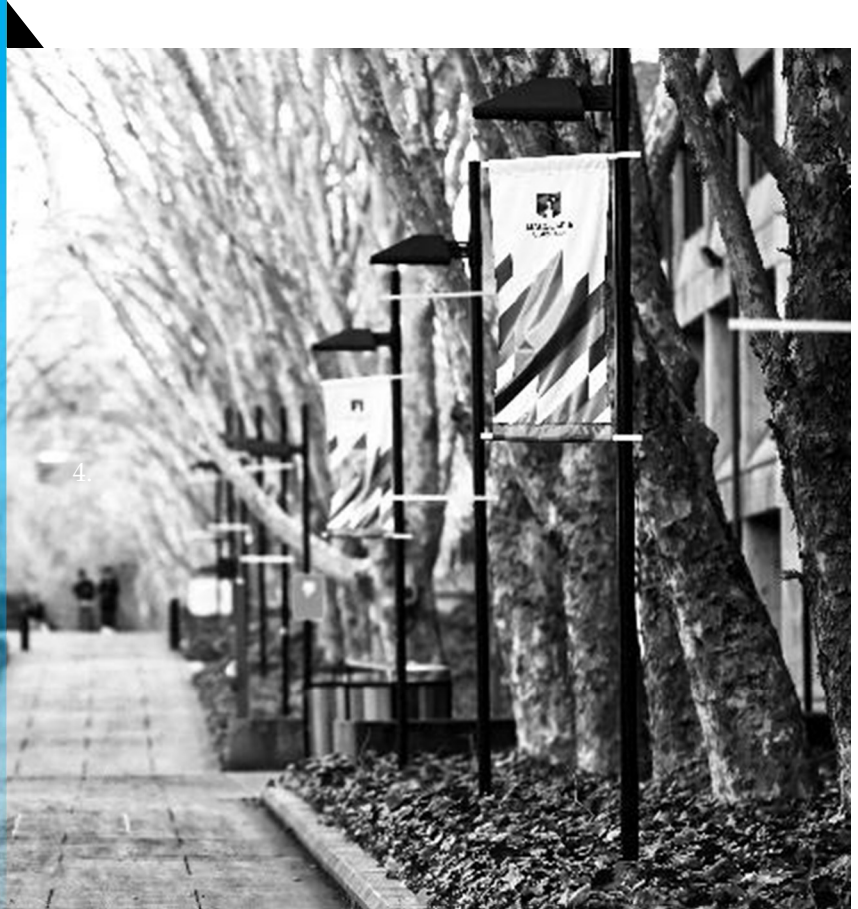
HB163 (Rep Simon Marcus) put forth in this bill a requirement that, within six months immediately preceding the submission of his application, a person applying for commission to be a notary public or electronic notary public, or an existing notary public or electronic notary public applying for recommission, complete a course of instruction developed and approved by the Secretary of the Commonwealth. The bill specifies that one hour of such course of instruction shall be on the topic of real estate fraud and financial exploitation of elderly persons and shall include training on current trends on such topics and on recognizing instances of such fraud or financial exploitation. **(Due to go into effect by July 2027)**. It would also require notaries public to keep a record of all notarial acts occurring on or after **July 1, 2026**, and to include such record the form of satisfactory evidence of identification used to verify the identity of the principal and credible witnesses. **This is pending Governor Approval by April 13th.**

SB316 (Del Tim Griffin) put forth a Companion Bill sponsored by Sen Travis Hackworth & Sen Luther Cifers which would mirror the language in the HB163.





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Virginia Notary Laws

Electronic Wills (eWills)

HB133 would permit advanced directives and refusals to make anatomical gifts to be signed and notarized, as appropriate, by electronic means. The bill also codifies the Uniform Electronic Wills Act, which permits a testator to execute a will by electronic means. The impact to notaries would be that it would allow Last Wills to be performed using RON, and submitted to the Probate Courts as a paper print out by an individual affirming under oath that the Will is a complete, true and accurate copy of the electronic Will. The exact wording is as follows:

The testator may create a certified paper copy of an electronic will at any time, and any other individual may create a certified paper copy of an electronic will after the death of the testator, in either case by affirming under oath that, to the best of his knowledge and belief, such paper copy of the electronic will is a complete, true, and accurate copy of the electronic will. A certified paper copy of an electronic will shall be in writing, signed and dated by the person

making the certification, with such signature made by executing or adopting a tangible symbol, as opposed to an electronic symbol or process, and shall include a paper copy of any electronic notarial certificate and any self-proved affidavit made with respect to the electronic will.

The risk here is that currently (02/01/2026) the Authentication Division of the Commonwealth of Virginia will not authenticate a document that has been remotely notarized by a Virginia eNotary Public. Effectively, a RON seal could be fraudulently added to a document and presented to the Probate Courts to modify the true last wishes of the decedent. **There is no secure method in place to confirm that the notarization was actually performed by the named eNotary.** On 2/26/26 This Bill Failed to report (defeated) in Courts of Justice (6-Y 8-N 1-A).

Other Bills

HB202 (Del Tim Griffin) & HB910 (Del Irene Shin) put forth a bill that would require an offering purchaser of a manufactured home park to provide a notarized affidavit certifying that the purchaser is not prohibited from acquiring such an interest. **On 2/18/2026 this Bill was left in the Committee Courts of Justice.**

HB929 (Del Marcus Simon) – Uniform Power of Attorney Act – This bill would eliminate the provision of the Act prohibiting a person relying in good faith upon an acknowledged power of attorney that is invalid when such power of attorney contains a forged signature of a principal. **On 3/09/2026 this Bill was Continued to next session in Courts of Justice (11-Y 3-N) (Y: 11 N: 3 NV: 0 Abs: 1) [PASS]**

