**Section 176.870 Prohibited Acts**

a) An electronic notary public shall not:

1) Engage in any fraudulent activity, deceptive practice, or inequitable act in connection with the Act.

2) Engage in any activity prohibited by 5 ILCS 312/6-104.

3) Fail to record an electronic notarial act performed using audio-video communication or fail to keep such a recording as required by 5 ILCS 312/6A-104.

4) Use an electronic seal or digital certificate that is invalid or fails to comply with this Subpart or Article VI-A of the Act during the performance of an electronic notarial act.

5) Fail to notify the Secretary of State of a change in the electronic seal or digital certificate.

6) Use one’s own electronic seal, alone or together with the electronic signature, except in the performance of an electronic notarial act.

7) Allow unauthorized access to the electronic journal kept by the electronic notary public under 5 ILCS 312/3-107, the electronic notary public's electronic signature or the digital certificate, or to the electronic notarization solution used by the electronic notary public to perform an electronic notarial act.

8) Violate any other provision of this Subpart I or Article VI-A of the Act relating to the performance of an electronic notarial act.

b) The penalties, prohibitions, liabilities, sanctions, and remedies for the improper performance of an electronic notarial act are the same as provided by law for the improper performance of a notarial act that is not an electronic notarial act.

(Source: Added at 47 Ill. Reg. 8640, effective June 5, 2023)