

358.64 FOREIGN NOTARIAL ACT.

Subdivision 1. **Definition.** In this section, "foreign state" means a government other than the United States, a state, or a federally recognized Tribe.

Subd. 2. **Effect.** If a notarial act is performed under authority and in the jurisdiction of a foreign state or constituent unit of the foreign state or is performed under the authority of a multinational or international governmental organization, the act has the same effect under the law of this state as if performed by a notarial officer of this state.

Subd. 3. **Authority of officer established.** If the title of office and indication of authority to perform notarial acts in a foreign state appears in a digest of foreign law or in a list customarily used as a source for that information, the authority of an officer with that title to perform notarial acts is conclusively established.

Subd. 4. **Significance of signature and official stamp.** The signature and official stamp of an individual holding an office described in subdivision 3 are prima facie evidence that the signature is genuine and the individual holds the designated title.

Subd. 5. **Significance of apostille.** An apostille in the form prescribed by the Hague Convention of October 5, 1961, and issued by a foreign state party to the Convention conclusively establishes that the signature of the notarial officer is genuine and that the officer holds the indicated office.

Subd. 6. **Significance of consular authentication.** A consular authentication issued by an individual designated by the United States Department of State as a notarizing officer for performing notarial acts overseas and attached to the record with respect to which the notarial act is performed conclusively establishes that the signature of the notarial officer is genuine and that the officer holds the indicated office.

History: 2018 c 176 art 1 s 14