

First Regular Session  
Seventy-fourth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 23-0324.01 Jason Gelender x4330

SENATE BILL 23-153

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SENATE SPONSORSHIP

Rodriguez and Rich,

HOUSE SPONSORSHIP

Duran and Pugliese,

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Senate Committees

Business, Labor, & Technology

House Committees

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A BILL FOR AN ACT

101 CONCERNING THE CONTINUATION OF THE REGULATION OF NOTARIES  
102 BY THE SECRETARY OF STATE IN THE DEPARTMENT OF STATE,  
103 AND, IN CONNECTION THEREWITH, IMPLEMENTING THE  
104 RECOMMENDATIONS IN THE 2022 SUNSET REPORT BY THE  
105 DEPARTMENT OF REGULATORY AGENCIES.

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Bill Summary

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)*

**Sunset Process - Senate Business, Labor, and Technology Committee.** The bill implements the recommendations of the department

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
Capital letters or bold & italic numbers indicate new material to be added to existing law.  
Dashes through the words or numbers indicate deletions from existing law.

of regulatory agencies, as specified in the department's sunset review of the "Revised Uniform Law on Notarial Acts" (act), as follows:

- Continues the act for 9 years, until September 1, 2032;
- Repeals the requirement that a certificate evidencing a notarial act performed by a notary public indicate the date of expiration of the notary public's commission;
- Repeals statutory fees for notarial acts performed by a notary public and requires the secretary of state to adopt rules that prescribe or establish caps for fees that a notary public may charge for notarial acts; and
- Requires the secretary of state to adopt rules that establish minimum requirements for the use of interpreters and translators in the performance of notarial acts.

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1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 24-21-515, **amend**  
3 (1)(c) and (1)(d); and **repeal** (1)(e) as follows:

4 **24-21-515. Certificate of notarial act.** (1) A notarial act must be  
5 evidenced by a certificate. The certificate must:

6 (c) Identify the county and state in which the notarial act is  
7 performed; AND

8 (d) Contain the title of office of the notarial officer. ~~and~~

9 ~~(e) If the notarial officer is a notary public, indicate the date of~~  
10 ~~expiration of the officer's commission.~~

11 **SECTION 2.** In Colorado Revised Statutes, 24-21-519, **amend**  
12 (5) as follows:

13 **24-21-519. Journal.** (5) Upon written request of any member of  
14 the public, which request must include the name of the parties, the type  
15 of document, and the month and year in which a record was notarized, a  
16 notary public may supply a certified copy of the line item representing the  
17 requested transaction. A notary public may charge ~~the fee allowed in~~  
18 ~~section 24-21-529~~ A FEE AS AUTHORIZED BY THE SECRETARY OF STATE BY

1 RULE for each certified copy of a line item, and shall record the  
2 transaction in the notary's journal.

3 **SECTION 3.** In Colorado Revised Statutes, 24-21-527, **add** (1.5)  
4 as follows:

5 **24-21-527. Rules - definitions.** (1.5) IN ADDITION TO THE RULES  
6 THAT THE SECRETARY OF STATE IS AUTHORIZED TO ADOPT PURSUANT TO  
7 SUBSECTION (1) OF THIS SECTION, NO LATER THAN JANUARY 1, 2024, THE  
8 SECRETARY OF STATE SHALL ADOPT RULES THAT PRESCRIBE OR ESTABLISH  
9 CAPS FOR FEES THAT A NOTARY PUBLIC MAY CHARGE FOR THE  
10 PERFORMANCE OF NOTARIAL ACTS AND ESTABLISH MINIMUM  
11 REQUIREMENTS FOR THE USE OF INTERPRETERS AND TRANSLATORS IN THE  
12 PERFORMANCE OF NOTARIAL ACTS.

13 **SECTION 4.** In Colorado Revised Statutes, **repeal** 24-21-529 as  
14 follows:

15 **24-21-529. Notary's fees.** ~~(1) Except as specified in subsection~~  
16 ~~(2) of this section, the fees of a notary public may be, but must not~~  
17 ~~exceed, five dollars for each document attested by a person before a~~  
18 ~~notary, except as otherwise provided by law. The fee for each such~~  
19 ~~document must include all duties and functions required to complete the~~  
20 ~~notarial act in accordance with this part 5.~~

21 ~~(2) In lieu of the fee authorized in subsection (1) of this section,~~  
22 ~~a notary public may charge a fee, not to exceed ten dollars, for the~~  
23 ~~notary's electronic signature.~~

24 **SECTION 5.** In Colorado Revised Statutes, **amend** 24-21-540 as  
25 follows:

26 **24-21-540. Repeal of part.** This part 5 is repealed, effective  
27 ~~September 1, 2023~~ SEPTEMBER 1, 2032. Before its repeal, this part 5 is

1 scheduled for review in accordance with section 24-34-104.

2 **SECTION 6.** In Colorado Revised Statutes, 24-34-104, **repeal**  
3 (24)(a)(IV); and **add** (33)(a)(IV) as follows:

4 **24-34-104. General assembly review of regulatory agencies**  
5 **and functions for repeal, continuation, or reestablishment - legislative**  
6 **declaration - repeal.** (24) (a) The following agencies, functions, or both,  
7 are scheduled for repeal on September 1, 2023:

8 (IV) ~~The appointment of notaries public through the secretary of~~  
9 ~~state in accordance with part 5 of article 21 of this title 24;~~

10 (33) (a) The following agencies, functions, or both, are scheduled  
11 for repeal on September 1, 2032:

12 (IV) THE APPOINTMENT OF NOTARIES PUBLIC THROUGH THE  
13 SECRETARY OF STATE IN ACCORDANCE WITH PART 5 OF ARTICLE 21 OF THIS  
14 TITLE 24.

15 **SECTION 7.** In Colorado Revised Statutes, **amend** 38-30-134 as  
16 follows:

17 **38-30-134. Fees of commissioners.** Commissioners, for like  
18 services, shall be allowed the same fees as are allowed by ~~law~~ THE  
19 SECRETARY OF STATE to notaries public of this state.

20 **SECTION 8. Effective date.** This act takes effect upon passage;  
21 except that sections 2, 4, and 7 of this act take effect January 1, 2024.

22 **SECTION 9. Safety clause.** The general assembly hereby finds,  
23 determines, and declares that this act is necessary for the immediate  
24 preservation of the public peace, health, or safety.