

Senate Bill 271

By: Senators Albers of the 56th, Anavitarte of the 31st, Kennedy of the 18th, Hufstetler of the 52nd, Hickman of the 4th and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Sections 15-6-94 and 45-17-8.1 of the Official Code of Georgia Annotated,
2 relating to Georgia Superior Court Clerks' Cooperative Authority and signature and date of
3 notarial act, respectively, so as to authorize in-person electronic execution of notarial
4 certificates and provide for issuance of standards; to provide for related matters; to repeal
5 conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Code Section 15-6-94 of the Official Code of Georgia Annotated, relating to Georgia
9 Superior Court Clerks' Cooperative Authority, is amended by revising subsection (d) as
10 follows:

11 "(d) The authority shall have the following powers:

12 (1) To have a seal and alter the same at its pleasure;

13 (2) To make and execute contracts, lease agreements, and all other instruments necessary
14 or convenient to exercise the powers of the authority or to further the public purpose for
15 which the authority is created;

16 (3) To acquire by purchase, lease, or otherwise and to hold, lease, and dispose of real or
17 personal property of every kind and character, or any interest therein, in furtherance of
18 the public purpose of the authority;

19 (4) To apply for and to accept any gifts or grants or loan guarantees or loans of funds or
20 property or financial or other aid in any form from the federal government or any agency
21 or instrumentality thereof, or from the state or any agency or instrumentality thereof, or
22 from any other source for any or all of the purposes specified in this Code section and to
23 comply, subject to the provisions of this Code section, with the terms and conditions
24 thereof;

25 (5) To contract with state agencies or any local government for the use by the authority
26 of any property, facilities, or services of the state or any such state agency or local
27 government or for the use by any state agency or local government of any facilities or
28 services of the authority; and such state agencies and local governments are authorized
29 to enter into such contracts;

30 (6) To fix and collect fees and charges for data, media, and incidental services furnished
31 by it to any individual or private entity; provided, however, that a schedule of proposed
32 fees and charges shall be filed with the Clerk of the House of Representatives and the
33 Secretary of the Senate by January 2, 1994, and annually thereafter for such action as the
34 General Assembly may desire to take thereon, if any;

35 (7) To deposit or otherwise invest funds held by it in any state depository or in any
36 investment which is authorized for the investment of proceeds of state general obligation
37 bonds and to use for its corporate purposes or redeposit or reinvest interest earned on
38 such funds;

39 (8) To issue technical standards for in-person electronic execution of notarial certificates;

40 (9) To exercise any power granted by the laws of this state to public or private
41 corporations which is not in conflict with the public purpose of the authority; and

42 ~~(9)~~ (10) To do all things necessary or convenient to carry out the powers conferred by
43 this Code section and to carry out such duties and activities as are specifically imposed
44 upon the authority by law.”

45

SECTION 2.

46 Code Section 45-17-8.1 of the Official Code of Georgia Annotated, relating to signature and
47 date of notarial act, is amended by adding a new subsection to read as follows:

48 “(d) Notaries public are authorized to electronically execute notarial certificates in person
49 in conformance with technical standards issued by the Georgia Superior Court Clerks’
50 Cooperative Authority pursuant to subsection (d) of Code Section 15-6-94.”

51

SECTION 3.

52 All laws and parts of laws in conflict with this Act are repealed.