
DIGEST

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HB 372 Engrossed

2015 Regular Session

Garofalo

Abstract: Requires the secretary of state to post certain information on its website regarding the passage rate of the uniform notarial examination, and subjects notaries to suspension or revocation of their commissions for failure to fully complete the required annual report.

Present law requires the secretary of state to develop uniform statewide standards for notarial examinations which include all of the following:

- (1) The procedures and rules for administering and grading the examination for applicants required to take an examination.
- (2) The format and content of the examination.
- (3) The procedures for review by the secretary of state of any examination which was taken and failed by the examinee.

Present law also requires the secretary of state to charge a fee not to exceed \$75 for each examinee taking an examination and to publish and make available to the public a document containing the material and sources from which examination questions are devised for a fee not to exceed \$100.

Proposed law retains present law and requires the secretary of state to list and make available on its website the exam passage rate during the most recent three-year period, a list of the names of the examination graders, and the results of the annual report survey questions.

Present law requires regularly commissioned non-attorney notaries to file an annual report with the secretary of state on the form developed by the secretary of state, together with payment of the filing fee established by the secretary of state.

Proposed law requires non-attorney notaries to state on the annual report whether they used their notarial commissions during the past year, and whether they notarize documents for the general public for a fee.

Proposed law provides that failure to include the required information shall result in the notary being deemed to have failed to file his fully completed annual report and having his commission automatically suspended, and provides that if a notary knowingly answered the questions falsely, his commission may be revoked or suspended pursuant to present law.

Effective Jan. 11, 2016.

(Amends R.S. 35:202(A); Adds R.S. 35:191.1(B)(3) and (4))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Civil Law and Procedure to the original bill:

1. Add a technical amendment.
2. Add a provision specifying that filing an incomplete report subjects the provisional notary to the provisions of R.S. 35:202(C), which provides for automatic suspension of the notary's commission.
3. Change the effective date from Jan. 1, 2016 to Jan. 11, 2016.