



1 3. Failure to comply with the requirements set forth in Section  
2 2 of ~~Title 49 of the Oklahoma Statutes~~ this title; or

3 4. Failure to comply in good faith with the requirements set  
4 forth in Section 113 of this title.

5 B. Upon receipt of a final judgment from a district court in  
6 this state or its equivalent in a foreign jurisdiction against a  
7 notary public in this state for performing a false or fraudulent  
8 notarial act, the Secretary of State shall revoke the appointment of  
9 the notary public.

10 SECTION 2. AMENDATORY 49 O.S. 2021, Section 113, is  
11 amended to read as follows:

12 Section 113. A. In taking an acknowledgment, the notarial  
13 officer must determine, either from personal knowledge or from  
14 satisfactory evidence, that the person appearing before the officer  
15 and making the acknowledgment is the person whose true signature is  
16 on the instrument.

17 B. In taking a verification upon oath or affirmation, the  
18 notarial officer must determine, either from personal knowledge or  
19 from satisfactory evidence, that the person appearing before the  
20 officer and making the verification is the person whose true  
21 signature is on the statement verified.

22 C. In witnessing or attesting a signature the notarial officer  
23 must determine, either from personal knowledge or from satisfactory  
24

1 evidence, that the signature is that of the person appearing before  
2 the officer and named therein.

3 D. In certifying or attesting a copy of a document or other  
4 item, the notarial officer must determine that the proffered copy is  
5 a full, true, and accurate transcription or reproduction of that  
6 which was copied. In the case of official records, only the  
7 custodian of the official records may issue an official certified  
8 copy.

9 E. In making or noting a protest of a negotiable instrument the  
10 notarial officer must determine the matters set forth in Section 3-  
11 509 of the Uniform Commercial Code.

12 F. A notarial officer has satisfactory evidence that a person  
13 is the person whose true signature is on a document if that person  
14 is personally known to the notarial officer, is identified upon the  
15 oath or affirmation of a credible witness personally known to the  
16 notarial officer or is identified on the basis of identification  
17 documents.

18 G. A notarial officer who performs a notarial act pursuant to  
19 this section without first making in good faith the required  
20 determination of the identity of the person appearing before the  
21 notary shall be guilty of a misdemeanor and upon conviction be  
22 subject to a fine not to exceed One Thousand Dollars (\$1,000.00), to  
23 imprisonment in the county jail not to exceed ten (10) days, or both  
24 such fine and imprisonment.

SECTION 3. This act shall become effective November 1, 2023.

COMMITTEE REPORT BY: COMMITTEE ON GENERAL GOVERNMENT, dated  
04/11/2023 - DO PASS.