

SENATE BILL NO. 37

BY SENATOR DUPRE

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AN ACT

To amend and reenact R.S. 35:407, relative to ex officio notaries for municipal police departments; to authorize under certain circumstances a mayor to designate persons as ex officio notaries; to provide terms and conditions; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 35:407 is hereby amended and reenacted to read as follows:

§407. Ex officio notaries for municipal police departments

A. Notwithstanding any provisions of the law relative to qualifications of notaries public, any chief of police of a municipal police department may designate officers in his office **and any mayor in a municipality with a population of less than five thousand may designate employees in his office,** and appoint them as ex officio notaries public. **Such designation by a mayor shall be for notarial service to the municipal police department.**

B. Each officer **or employee** so appointed as ex officio notary may exercise, within his respective jurisdictional limits, the functions of a notary public only to administer oaths and execute affidavits, acknowledgments, traffic tickets, and other documents, all limited to matters within the official functions of the municipal police department for the enforcement of the provisions of any statute which provides for criminal penalties and of the municipal ordinances which the police department is charged with enforcing.

C. All acts performed by each ex officio notary public of a police department **or office of the mayor** authorized by this Section shall be performed without charge or other compensation and without the necessity of giving bond.

1 D. The chief of police of the police department or mayor may suspend or
 2 terminate an appointment made in his office pursuant to this Section at any time and
 3 separation from the employ of the police department or office of the mayor shall
 4 automatically terminate the powers of the ex officio notary public.

5 Section 2. This Act shall become effective upon signature by the governor or, if not
 6 signed by the governor, upon expiration of the time for bills to become law without signature
 7 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 8 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 9 effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____