2018 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 86

BY REPRESENTATIVE GAROFALO

NOTARIES: Authorizes and directs the Louisiana State Law Institute to study and make recommendations for legislation to implement notaries public with limited authority

1	A CONCURRENT RESOLUTION
2	To authorize and direct the Louisiana State Law Institute to study and make
3	recommendations for the enactment of laws for the implementation of notaries public
4	with limited authority, and to submit a written report of its findings and
5	recommendations to the legislature.
6	WHEREAS, Louisiana currently has a unique system of laws as compared to other
7	states relative to the commissioning of notaries public; and
8	WHEREAS, a Louisiana notary public has broad authority which parallels many of
9	the same areas of authority of an attorney licensed to practice law in this state; and
10	WHEREAS, due to the broad authority provided to Louisiana notaries public,
11	persons desiring to obtain a notarial commission are required to meet certain specific
12	qualifications, including passing a very rigorous uniform examination which results in fewer
13	notaries public available to meet the needs of the public; and
14	WHEREAS, notaries public in every other state have very limited notarial authority,
15	and their services are more frequently used for the purpose of witnessing the signature of an
16	affiant; and
17	WHEREAS, because such notaries public in other states have limited notarial
18	authority, the criteria to become a notary public in those states is less stringent, which allows
19	for increased availability of notaries public to serve the public; and
20	WHEREAS, having certain notaries public with limited authority in Louisiana with
21	similar limited authority as those notaries that exist in other states would be beneficial to the

1 citizens and businesses of this state who frequently need a notary of only limited authority 2 to witness their signature on a document; and 3 WHEREAS, businesses frequently only need the services of a notary public with 4 limited authority to witness signatures, and a notary regime that allows an existing employee 5 of that business to become a notary with limited authority would allow that business to be 6 more efficient and offer its customers better service; and 7 WHEREAS, businesses moving to Louisiana or considering moving to Louisiana 8 should be provided with a notary environment consistent with the state from which the 9 business is moving. 10 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby 11 authorize and direct the Louisiana State Law Institute to study the laws relative to notaries 12 public in this state and other states with particular focus on the implementation of notaries 13 public with limited authority, and to submit a written report of its findings, proposed 14 legislation, and recommendations to the legislature no later than February 1, 2019. 15 BE IT FURTHER RESOLVED that a suitable copy of this Resolution be transmitted 16 to the director of the Louisiana State Law Institute.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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Authorizes and directs the Louisiana State Law Institute to study the laws relative to notaries public in this state and other states with particular focus on the implementation of notaries public with limited authority, and to submit a written report of its findings, proposed legislation, and recommendations to the legislature no later than February 1, 2019.