

RÉSUMÉ DIGEST

ACT 258 (HB 259)

2025 Regular Session

Taylor

Prior law (R.S. 35:71(A)) required notaries public to maintain a bond in the amount of \$10,000 conditioned on the faithful performance of all duties required by law toward all who may employ him in his official capacity as a notary public.

New law changes prior law to require that notaries public maintain a bond in the amount of \$50,000.

Prior law allowed notaries public to maintain a minimum of \$10,000 in errors and omissions insurance coverage as an alternative to maintaining a bond.

New law changes prior law to remove the option of errors and omissions insurance coverage.

Prior law (R.S. 35:71(A)(2)) provided that the provisions of prior law were not applicable to notarial bonds which were currently valid and enforceable until such bonds expired and were required to be renewed.

New law repeals prior law.

Prior law (R.S. 36:192(A)) required a notary's bond to be submitted to the clerk of court for the parish where the notary exercised the functions of his office and required the bond to be approved by the clerk.

New law removes the requirement in prior law that the bond be submitted to and approved by the clerk of court in the parish where the notary exercises the functions of his office.

Prior law required the bond to be subscribed in favor of the governor and if secured by personal surety, recorded in the mortgage office of the parish.

New law provides that if the bond is a special mortgage, it shall also be recorded in the mortgage office of the parish.

New law (R.S. 35:192(C)) provides that in all cases where a notary furnishes a bond signed by a surety company authorized to do business in this state, it shall not be necessary to record the bond with the clerk of court or have the bond approved by the clerk of court.

Prior law (R.S. 39:342) required the bond of a notary to be submitted to the clerk of court for the parish where the notary exercised the functions of his office. Together with the certificate of competency, the bond was required to be filed in the office of the commissioner of administration.

New law repeals prior law.

Effective February 1, 2026.

(Amends R.S. 35:71(A), (B), (D)(2), and (E), 191(A)(3)(c), 192(A), 201(A)(3), 391(6), and 412(C); Adds R.S. 35:192(C); Repeals R.S. 39:342)