ENROLLED

Regular Session, 2011

HOUSE CONCURRENT RESOLUTION NO. 45

BY REPRESENTATIVES DOERGE, BALDONE, BARRAS, BROSSETT, HENRY BURNS, CHANDLER, DANAHAY, HARRISON, HENDERSON, HOWARD, KATZ, LEGER, MONTOUCET, POPE, SMILEY, JANE SMITH, ST. GERMAIN, STIAES, THIBAUT, AND TUCKER AND SENATOR QUINN

A CONCURRENT RESOLUTION

To establish a study committee to study all aspects of notary education, applications, and examinations, and to develop recommendations and a plan of implementation relative to standards for notary education, applications, and examinations.

WHEREAS, notaries public for the state of Louisiana perform many important duties, many of which are set forth in R.S. 35:2, and these duties far exceed the responsibilities of notaries public of the common law states; and

WHEREAS, due to these extensive duties, it is of great importance to maintain high standards of notaries public in Louisiana through the continued improvement of the notary examination, instructors, and applicants; and

WHEREAS, in 2003, the Legislature of Louisiana charged the secretary of state with implementing a uniform state notary examination for the improvement of the notary examination; and

WHEREAS, in 2008, the Louisiana Senate adopted Senate Resolution No. 123 to study the responsibilities of notaries public in Louisiana; and

WHEREAS, in 2008, the Legislature of Louisiana charged the secretary of state with developing and administering a program to provide for the registration and reporting of persons who provide notary examination preparatory education and instruction for the improvement of education and instruction; and

WHEREAS, the Legislature of Louisiana has not authorized the secretary of state to develop or implement any standards for those persons registering to provide education to notary examination applicants, and the Legislature of Louisiana has not authorized the secretary of state to develop or implement any standards for those applying to take the notary examination; and

WHEREAS, in order to continue the improvement of the office of notary public in Louisiana, it may be beneficial to study expanding the authority of the secretary of state to develop standards for notary examination instructors and applicants; and

WHEREAS, regardless of any additional authority granted to the secretary of state relative to the office of notary public, it may be beneficial to study all aspects of the notary education, examination, and application to determine additional ways of improving the office of notary public in Louisiana.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby create the Notary Education, Application, and Examination Committee to study the laws relating to the office of notary public and urge this committee to continue the work commenced by the Notary Study Committee created by Senate Resolution No. 123 of the 2008 Regular Session of the Legislature, and to make recommendations to the secretary of state and the Legislature of Louisiana to implement changes necessary to improve the office of notary public.

BE IT FURTHER RESOLVED that the committee shall consist of the following members:

(1) The secretary of state or his designee.

(2) A representative of the Notary Division of the Department of State.

(3) The attorney general or his designee.

(4) The chair of the House Committee on Civil Law and Procedure or his designee.

(5) The chair of the Senate Judiciary A Committee or her designee.

(6) One representative of the Louisiana Notary Association.

(7) One representative of the Professional Civil Law Notary Association.

(8) The Vice President for Academic and Student Affairs of the Louisiana Community and Technical College System or her designee.

(9) A member of the Louisiana Notary Public Examination Development and Evaluation Committee.

(10) One representative of the Louisiana State Bar Association.

(11) Four members appointed by the secretary of state.

(12) The editor of the Louisiana Notary Public Examination Official Study Guide or his designee.

(13) The director of the Louisiana State University Office of Assessment and Evaluation.

(14) One representative of the Louisiana Banker's Association.

(15) The director of the Louisiana State Law Institute or his designee.

BE IT FURTHER RESOLVED that the chair of the committee shall be appointed by the secretary of state.

BE IT FURTHER RESOLVED that the committee at its organizational meeting shall elect such other officers as it determines necessary.

BE IT FURTHER RESOLVED that the members of the committee shall serve without compensation.

BE IT FURTHER RESOLVED that any official action of the committee shall require affirmative approval of a majority of the quorum present and voting, a majority of the appointed members constituting a quorum.

BE IT FURTHER RESOLVED that the Louisiana Notary Association shall provide a recorder to serve without compensation as is necessary.

BE IT FURTHER RESOLVED that the committee shall make a written report of its findings to the House Committee on Civil Law and Procedure and the Senate Committee on Judiciary A on or before January 1, 2012.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE