

Regular Session, 2012

HOUSE BILL NO. 361

BY REPRESENTATIVE PONTI

NOTARIES: Provides relative to notaries

1 AN ACT

2 To amend and reenact R.S. 35:191(A)(2), relative to notaries; to provide for parish
3 commissioned notary jurisdiction; and to provide for related matters.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. R.S. 35:191(A)(2) is hereby amended and reenacted to read as follows:

6 §191. Appointment; qualifications; examination

7 A.

8 * * *

9 (2) Notwithstanding the provisions of Paragraph (A)(1) or Subsection C of
10 this Section, a person validly appointed notary public in the parish of his residence
11 may exercise any and all of the functions of a notary public in ~~an adjacent parish~~
12 ~~which has~~ all adjacent parishes that have a population of less than ~~thirty-five~~ forty
13 thousand and in which he or his employer maintains an office, without additional
14 bonding or further application or examination, ~~but shall file with the office of the~~
15 ~~secretary of state an affidavit giving the location of his office. Additionally, the~~
16 ~~applicant shall obtain a dual commission by complying with the procedures~~
17 ~~established by the office of the secretary of state.~~

18 * * *

DIGEST

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Ponti

HB No. 361

Abstract: Provides for appointment and jurisdiction of notaries.

Present law provides for the appointment of a notary in and for the parish of his residence. Also provides for the appointment of a notary in an adjacent parish in which he maintains an office. Provides for certain qualifications.

Proposed law retains present law.

Present law further provides that a notary appointed in his parish of residence may exercise the functions of a notary in an adjacent parish with a population less than 35,000 and in which he maintains an office without the requirements of additional bonding or further application or examination. Requires such notary to file an affidavit with the office of the secretary of state, and requires the applicant to obtain a dual commission.

Proposed law expands present law to apply to all adjacent parishes with a population of less than 40,000 in which he or his employer maintains an office, and deletes the requirement of the filing of the affidavit stating the location of the office and the requirement relative to obtaining a dual commission by following the procedures established by the secretary of state.

(Amends R.S. 35:191(A)(2))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Civil Law and Procedure to the original bill.

1. Changed population restriction from 35,000 to 40,000.
2. Deleted requirement of the filing of the affidavit stating the location of the office and the requirement relative to obtaining a dual commission.