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FLOOR DEBATE

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applicant's county of residence to apply for a notary public commission. You've probably all been sitting in a meeting at your church or community center or whatever, where the list is passed around and everybody signs it. This bill eliminates that relatively meaningless requirement of 25 signatures, and provides instead that applicants for the office of notary public shall take a written test. The Secretary of State shall develop the test, and that test shall be comprised of questions relating to the laws, procedures, and ethics for notaries public. Additionally, the bill prohibits persons who have been convicted of a felony or a crime involving fraud or dishonesty from becoming a notary public. Under current law, a surety bond in the amount of \$10,000 must be approved by and filed with the Secretary of State. LB 315 would increase that bond requirement, consistent with inflation and the passage of time over several decades, so that the bond would be \$25,000. Section 5 of the bill provides that a notary public shall not perform a notarial act if the principal or signator of the document is not in the presence of the notary or is not personally known to or identified by the notary. For purposes of identifying the principal, the bill defines what constitutes proof of identity. First, presenting at least one document issued by a governmental agency or entity that bears a photograph and description of the principal would suffice; or, second, the affirmation of the identity of the principal by at least one credible witness unaffected by the substance of the document to be notarized. The bill provides that a notary public shall not perform notarial duties in matters in which he or she may have a conflict of interest. Specifically, a notary is disqualified from performing a notarial act if he or she will receive a direct or indirect commission or compensation or fee not otherwise permitted. This provision does not apply to licensed or regulated professional organizations whose professional conduct is otherwise regulated with regard to the substance of the matter being dealt with, such as realtors or attorneys at law, or a notarial act could not be... a notary would be disqualified from performing an act if a spouse or relative is involved with the principal. Section 7 of the bill provides for a process whereby a notary shall certify a signature by mark, an instance in which a principal is unable to sign a signature by reason of physical incapacity or otherwise.