

HOUSE BILL No. 1957

DIGEST OF INTRODUCED BILL

Citations Affected: IC 33-16-2-1.

Synopsis: Notaries public. Requires an applicant for a commission as a notary public to secure a bond in the amount of \$10,000 instead of in the amount of \$5,000.

Effective: July 1, 2001.

Atterholt

January 17, 2001, read first time and referred to Committee on Financial Institutions.

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First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

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HOUSE BILL No. 1957



A BILL FOR AN ACT to amend the Indiana Code concerning notaries public.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 33-16-2-1 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 1. (a) Any applicant for
 3 a commission as a notary public must:
 4 (1) be at least eighteen (18) years of age; and
 5 (2) be a legal resident of Indiana.
 6 (b) A notary public shall be appointed and commissioned by the
 7 governor. A notary public shall hold office for eight (8) years. A notary
 8 public, when so qualified, shall be authorized to act throughout
 9 Indiana.
 10 (c) A person may request an application to become a notary public
 11 from the secretary of state. The secretary of state shall prescribe a
 12 written application form on which a person may apply for a
 13 commission as a notary public. The secretary of state may provide an
 14 applicant with enhanced access (as defined in IC 5-14-3-2) to an
 15 application form that may be completed and submitted to the secretary
 16 of state by means of an electronic device. IC 4-5-10 applies to an
 17 application form provided by enhanced access under this section. The



1 application form must include the applicant's county of residence, oath
 2 of office, and official bond. The application must also contain any
 3 additional information necessary for the efficient administration of this
 4 chapter.

5 (d) The applicant shall:

6 (1) personally appear with an application form before an officer,
 7 authorized by law to administer oaths, who shall administer an
 8 oath of office to the applicant; or

9 (2) certify on an application form under penalty of perjury that the
 10 applicant will abide by the terms of the oath.

11 The secretary of state shall prescribe the manner in which an applicant
 12 may complete a certification authorized under subdivision (2).

13 (e) The applicant shall secure an official bond, with freehold or
 14 corporate security, to be approved by the secretary of state in the sum
 15 of ~~five ten~~ thousand dollars (~~\$5,000~~). **(\$10,000)**. The official bond shall
 16 be conditioned upon the faithful performance and discharge of the
 17 duties of the office of notary public, in all things according to law, for
 18 the use of any person injured by a breach of the condition. The
 19 completed application shall be forwarded to the secretary of state. The
 20 secretary of state shall forward each commission issued by the
 21 governor to the applicant or the applicant's surety company.

22 (f) The secretary of state shall charge and collect the following fees:

23 (1) For each commission to notaries public, five dollars (\$5).

24 (2) For each duplicate commission to notaries public, five dollars
 25 (\$5).

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