

STATE OF OKLAHOMA

1st Session of the 50th Legislature (2005)

SENATE BILL 694

By: Crain

AS INTRODUCED

An Act relating to notaries public; amending 49 O.S. 2001, Section 2, as amended by Section 1, Chapter 101, O.S.L. 2004 (49 O.S. Supp. 2004, Section 2), which relates to oath, signature, bond and seal; permitting destruction of certain records under specified circumstances; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 49 O.S. 2001, Section 2, as amended by Section 1, Chapter 101, O.S.L. 2004 (49 O.S. Supp. 2004, Section 2), is amended to read as follows:

Section 2. A. Before entering upon the duties of his or her office every notary public so appointed and commissioned shall file in the office of the Secretary of State, the notary's oath of office, the notary's loyalty oath, the notary's official signature, an impression of the notary's official seal, and a good and sufficient bond to the State of Oklahoma, in the sum of One Thousand Dollars (\$1,000.00), to be approved by the Secretary of State, conditioned for the faithful performance of the duties of the notary's office. The bond shall be signed by:

1. An insurance agent licensed by the State of Oklahoma;
2. An attorney-in-fact on behalf of an insurance company with a power of attorney attached; or
3. One or more individual sureties who are property owners in the county of residence of the notary, or if a nonresident, the county of employment of the notary. The bond shall be issued for a

term of four (4) years commencing on the commission's effective date and terminating on its expiration date.

Upon the filing of his or her bond with the Secretary of State, every notary public shall pay to the Secretary of State the sum of Ten Dollars (\$10.00) to be deposited to the credit of the Revolving Fund for the Office of the Secretary of State.

B. Upon the receipt of a final judgment against an Oklahoma notary public for performing a false or fraudulent notarial act from an Oklahoma District Court or its equivalent from a foreign jurisdiction, the Secretary of State shall revoke the appointment of said notary.

C. Any notary public who had custody of notary records prior to November 1, 2004, may offer those records to the Secretary of State. Upon refusal by the Secretary of State of notary records prior to November 1, 2004, the notary public having custody of such records may destroy them.

SECTION 2. This act shall become effective November 1, 2005.

50-1-965

TEK

6/13/2015 8:52:25 AM