

1 STATE OF OKLAHOMA

2 2nd Session of the 56th Legislature (2018)

3 SENATE BILL 1530

By: Sykes

6 AS INTRODUCED

7 An Act relating to notaries public; amending 49 O.S.
8 2011, Section 6, which relates to authority;
9 modifying authority of notaries public; and providing
10 an effective date.

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

12 SECTION 1. AMENDATORY 49 O.S. 2011, Section 6, is
13 amended to read as follows:

14 Section 6. A. Notaries public shall have authority within any
15 county in this state to make the proof and acknowledgement of deeds
16 and other instruments of writing required to be proved or
17 acknowledged; to administer oaths of affirmations; to take a
18 verification upon oath or affirmation to witness or attest a
19 signature; to certify or attest a copy; to demand acceptance or
20 payment of foreign or inland bills of exchange and promissory notes,
21 and protest the same for nonacceptance or nonpayment, as the same
22 may require, and to exercise such other powers and duties as by law
23 of nations and commercial usage may be performed by notaries public.
24 A notary may not notarize his or her own signature.

1 B. No notary public, except those who are licensed attorneys or
2 otherwise authorized by law to represent persons on immigration or
3 citizenship matters, shall hold himself or herself out as having
4 expertise in providing legal advice on any proceeding, filing or
5 action affecting the immigration or citizenship status of another
6 person. For purposes of this section, "legal advice" means any
7 direct or indirect advice or counsel related to provisions of the
8 Immigration and Nationality Act including, but not limited to,
9 assistance in the selection of immigration forms required by the
10 Immigration and Nationality Act, advice or council related to
11 responses to information required on forms by the Immigration and
12 Nationality Act, or acting in a representative capacity in an
13 attempt to redress wrongs or secure benefits provided by the
14 Immigration and Nationality Act. Any notary public who provides
15 nonlegal assistance on any proceeding, filing or action affecting
16 the immigration or citizenship status of another person shall give
17 the following notice to that person verbally and in writing: "I am
18 not a licensed attorney or representative of any government agency
19 with authority over immigration or citizenship and, therefore,
20 cannot offer legal advice about immigration or any other legal
21 matters." If the notary public operates a business or advertises
22 in any language other than English, such notice shall be given in
23 both English and in the other language or languages. Literal
24 translation of the phrase "notary public" into Spanish, hereby

1 defined as "notario publico" or "notario", is prohibited. For
2 purposes of this section, "literal translation" of a word or phrase
3 from one language to another means the translation of a word or
4 phrase without regard to the true meaning of the word or phrase in
5 the language which is being translated.

6 SECTION 2. This act shall become effective November 1, 2018.

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