

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 SENATE BILL 916

By: Howard

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5
6 AS INTRODUCED

7 An Act relating to notarial acts; 49 O.S. 2011,
8 Section 113, which relates to notarial procedures;
9 authorizing certification or attestation of documents
10 through electronic means under certain circumstances;
11 and providing an effective date.

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

13 SECTION 1. AMENDATORY 49 O.S. 2011, Section 113, is
14 amended to read as follows:

15 Section 113. A. In taking an acknowledgment, the notarial
16 officer must determine, either from personal knowledge or from
17 satisfactory evidence, that the person appearing before the officer
18 and making the acknowledgment is the person whose true signature is
19 on the instrument.

20 B. In taking a verification upon oath or affirmation, the
21 notarial officer must determine, either from personal knowledge or
22 from satisfactory evidence, that the person appearing before the
23 officer and making the verification is the person whose true
24 signature is on the statement verified.

1 C. In witnessing or attesting a signature the notarial officer
2 must determine, either from personal knowledge or from satisfactory
3 evidence, that the signature is that of the person appearing before
4 the officer and named therein.

5 D. In certifying or attesting a copy of a document or other
6 item, the notarial officer must determine that the proffered copy is
7 a full, true, and accurate transcription or reproduction of that
8 which was copied. In the case of official records, only the
9 custodian of the official records may issue an official certified
10 copy.

11 E. In making or noting a protest of a negotiable instrument the
12 notarial officer must determine the matters set forth in Section 3-
13 509 of the Uniform Commercial Code.

14 F. A notarial officer has satisfactory evidence that a person
15 is the person whose true signature is on a document if that person
16 is personally known to the notarial officer, is identified upon the
17 oath or affirmation of a credible witness personally known to the
18 notarial officer or is identified on the basis of identification
19 documents.

20 G. A notarial officer may certify or attest documents remotely
21 through use of electronic means if the notarial officer satisfies
22 all requirements of this section.

1 SECTION 2. This act shall become effective November 1, 2021.

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