

# An Act

ENROLLED SENATE  
BILL NO. 556

By: Haste of the Senate

and

Sims and Strom of the House

An Act relating to notaries public; amending 49 O.S. 2021, Sections 12 and 113, which relate to grounds to deny, refuse to renew, or revoke a commission and notarial acts; adding grounds for denial or revocation of a commission; creating misdemeanor offense; establishing punishment; updating statutory references; and providing an effective date.

SUBJECT: Notaries public

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

SECTION 1. AMENDATORY 49 O.S. 2021, Section 12, is amended to read as follows:

Section 12. A. The Secretary of State may deny, refuse to renew, or revoke a commission as a notary public for a:

1. Conviction of any felony;
2. Failure to meet the qualifications and application requirements set forth in Sections 1 and 1.1 of ~~Title 49 of the Oklahoma Statutes~~ this title; ~~or~~
3. Failure to comply with the requirements set forth in Section 2 of ~~Title 49 of the Oklahoma Statutes~~ this title; or

4. Failure to comply in good faith with the requirements set forth in Section 113 of this title.

B. Upon receipt of a final judgment from a district court in this state or its equivalent in a foreign jurisdiction against a notary public in this state for performing a false or fraudulent notarial act, the Secretary of State shall revoke the appointment of the notary public.

SECTION 2. AMENDATORY 49 O.S. 2021, Section 113, is amended to read as follows:

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

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

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

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

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

F. A notarial officer has satisfactory evidence that a person is the person whose true signature is on a document if that person

is personally known to the notarial officer, is identified upon the oath or affirmation of a credible witness personally known to the notarial officer or is identified on the basis of identification documents.

G. A notarial officer who performs a notarial act pursuant to this section without first making in good faith the required determination of the identity of the person appearing before the notary shall be guilty of a misdemeanor and upon conviction be subject to a fine not to exceed One Thousand Dollars (\$1,000.00), to imprisonment in the county jail not to exceed ten (10) days, or both such fine and imprisonment.

SECTION 3. This act shall become effective November 1, 2024.

Passed the Senate the 7th day of March, 2023.

\_\_\_\_\_  
Presiding Officer of the Senate

Passed the House of Representatives the 24th day of April, 2024.

\_\_\_\_\_  
Presiding Officer of the House  
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_

Approved by the Governor of the State of Oklahoma this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_