

1 ENGROSSED SENATE
2 BILL NO. 1028

By: Alvord of the Senate

3 and

4 Miller of the House

5
6 An Act relating to notaries public; amending 49 O.S.
7 2021, Sections 1 and 2, which relate to appointment
8 and oath, signature, bond, and seal; requiring
9 certain national criminal history record check;
increasing certain fees and bond requirements for
commission; updating statutory language; and
providing an effective date.

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

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

14 Section 1. The Secretary of State shall appoint and commission
15 in this state notaries public, who shall hold their office for four
16 (4) years. An applicant for a notary commission shall be eighteen
17 (18) years of age or older, a citizen of the United States, and
18 employed within this state or a legal resident of this state. A
19 national criminal history record check, as defined in Section 150.9
20 of Title 74 of the Oklahoma Statutes, shall be conducted
21 electronically of any applicant for a notary commission, including
22 any applicant for renewal. The Oklahoma State Bureau of
23 Investigation (OSBI) shall electronically obtain fingerprints of the
24 applicant and require that the person pay a search fee not to exceed

1 Fifty Dollars (\$50.00) or the cost of the search, whichever is the
2 lesser amount. The fees shall be deposited in the OSBI Revolving
3 Fund. The Oklahoma State Bureau of Investigation shall provide the
4 national criminal history record check to the Secretary of State
5 within fourteen (14) working days from the receipt of the request.
6 OSBI may contact the Federal Bureau of Investigation to obtain the
7 information requested. A felony conviction shall be grounds for
8 removal of a person from the office of notary public and shall
9 preclude a person from further applying for or renewing a notary
10 commission. All notary commissions shall run in the name and by the
11 authority of the State of Oklahoma, be signed by the Secretary of
12 State, and sealed with the Great Seal of the State of Oklahoma.
13 Commissions shall not be attested. Any person filing an application
14 for a new notary commission shall pay ~~Twenty-five Dollars (\$25.00)~~
15 Fifty Dollars (\$50.00) to the Secretary of State with the
16 application. Any person filing an application for a renewal of a
17 notary commission shall pay ~~Twenty Dollars (\$20.00)~~ Forty-five
18 Dollars (\$45.00) to the Secretary of State with the application.
19 Any person requiring "same day filing service" shall pay ~~Twenty-five~~
20 ~~Dollars (\$25.00)~~ Fifty Dollars (\$50.00) to the Secretary of State in
21 addition to the applicable filing fee. These funds shall be
22 deposited in the ~~Revolving Fund~~ revolving fund created for the
23 Secretary of State pursuant to the provisions of Section 276.1 of
24 Title 62 of the Oklahoma Statutes.

SECTION 2. AMENDATORY 49 O.S. 2021, Section 2, is

amended to read as follows:

Section 2. A. Before entering upon the duties of his or her office and not more than sixty (60) days after issuance of a notary commission, 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)~~ Ten Thousand Dollars (\$10,000.00), to be approved by the Secretary of State, conditioned for the faithful performance of the duties of the notary's office.

B. The bond required by subsection A of this section 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.

C. The bond required by subsection A of this section shall be issued for a term that commences on the bond's effective date and terminates on the commission's expiration date. Upon the filing of his or her bond with the Secretary of State, every notary public

1 shall pay to the Secretary of State the sum of ~~Ten Dollars (\$10.00)~~
2 Twenty-five Dollars (\$25.00) to be deposited to the credit of the
3 Revolving Fund for the Office of the Secretary of State.

4 D. A notary public shall not perform any notarial act until his
5 or her bond, official seal, oath of office and loyalty oath, as
6 required by subsection A of this section, ~~has~~ have been received and
7 approved by the Secretary of State.

8 SECTION 3. This act shall become effective January 1, 2026.

9 Passed the Senate the 27th day of March, 2025.

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11 _____
12 Presiding Officer of the Senate

13 Passed the House of Representatives the ____ day of _____,
14 2025.

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17 Presiding Officer of the House
18 of Representatives
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