

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 60th Legislature (2025)

4 ENGROSSED SENATE
5 BILL NO. 1028

By: Alvord of the Senate

and

Miller of the House

6
7
8
9 An Act relating to notaries public; amending 49 O.S.
10 2021, Sections 1 and 2, which relate to appointment
11 and oath, signature, bond, and seal; requiring
12 certain national criminal history record check;
13 increasing certain fees and bond requirements for
14 commission; updating statutory language; and
15 providing an effective date.

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

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

19 Section 1. The Secretary of State shall appoint and commission
20 in this state notaries public, who shall hold their office for four
21 (4) years. An applicant for a notary commission shall be eighteen
22 (18) years of age or older, a citizen of the United States, and
23 employed within this state or a legal resident of this state. A
24 national criminal history record check, as defined in Section 150.9
 of Title 74 of the Oklahoma Statutes, shall be conducted

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

1 addition to the applicable filing fee. These funds shall be
2 deposited in the ~~Revolving Fund~~ revolving fund created for the
3 Secretary of State pursuant to the provisions of Section 276.1 of
4 Title 62 of the Oklahoma Statutes.

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

7 Section 2. A. Before entering upon the duties of his or her
8 office and not more than sixty (60) days after issuance of a notary
9 commission, every notary public so appointed and commissioned shall
10 file in the office of the Secretary of State, the notary's oath of
11 office, the notary's loyalty oath, the notary's official signature,
12 an impression of the notary's official seal, and a good and
13 sufficient bond to the State of Oklahoma, in the sum of ~~One Thousand~~
14 ~~Dollars (\$1,000.00)~~ Ten Thousand Dollars (\$10,000.00), to be
15 approved by the Secretary of State, conditioned for the faithful
16 performance of the duties of the notary's office.

17 B. The bond required by subsection A of this section shall be
18 signed by:

- 19 1. An insurance agent licensed by the State of Oklahoma;
- 20 2. An attorney-in-fact on behalf of an insurance company with a
21 power of attorney attached; or
- 22 3. One or more individual sureties who are property owners in
23 the county of residence of the notary, or if a nonresident, the
24 county of employment of the notary.

1 C. The bond required by subsection A of this section shall be
2 issued for a term that commences on the bond's effective date and
3 terminates on the commission's expiration date. Upon the filing of
4 his or her bond with the Secretary of State, every notary public
5 shall pay to the Secretary of State the sum of ~~Ten Dollars (\$10.00)~~
6 Twenty-five Dollars (\$25.00) to be deposited to the credit of the
7 Revolving Fund for the Office of the Secretary of State.

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

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

13
14 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY AND PUBLIC SAFETY
15 OVERSIGHT, dated 04/22/2025 - DO PASS.
16
17
18
19
20
21
22
23
24