

2015 Regular Session

HOUSE BILL NO. 120

BY REPRESENTATIVE SHADOIN

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

NOTARIES: Provides relative to provisional notaries

1 AN ACT

2 To amend and reenact R.S. 35:191(W)(1)(b) and to repeal R.S. 35:191(W)(9), relative to
3 notaries public; to repeal the termination date relative to provisional notary
4 commissions; to delete the termination date within which a provisional notary
5 candidate may take the uniform exam; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 35:191(W)(1)(b) is hereby amended and reenacted to read as follows:

8 §191. Appointment; qualifications; examination

9 * * *

10 W.(1)

11 * * *

12 (b) Notwithstanding any provision of this Section or any other law to the
13 contrary, any person who resides in a parish with a population of less than forty
14 thousand and who passes the examination provided by R.S. 35:191.1, except for any
15 performance assessment component, during examinations administered after January
16 1, 2013, ~~and before August 1, 2016,~~ may be provisionally appointed to the office of
17 notary public in and for that parish upon fulfillment of all requirements of this
18 Subsection and upon meeting all other qualifications necessary to be appointed to the
19 office of notary public in this state.

20 * * *

21 Section 2. R.S. 35:191(W)(9) is hereby repealed in its entirety.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 120 Engrossed

2015 Regular Session

Shadoin

Abstract: Repeals the sunset provision which terminates the commissions of provisional notaries existing on Aug. 1, 2016.

Present law provides that any person who resides in a parish with a population of less than 40,000, and who has passed the uniform statewide examination, except for any performance assessment component, during examinations administered between Dec. 1, 2009, and Aug. 1, 2016, may be provisionally appointed to the office of notary public in and for that parish upon fulfillment of all requirements provided by law and upon meeting all other qualifications necessary to be appointed to the office of notary public in this state.

Present law provides that present law shall expire on Aug. 1, 2016, and any commission granted pursuant to present law shall also expire on that date, except if the notary has, subsequent to issuance of a commission, passed all components of the examination provided by R.S. 35:191.1 on or before Aug. 1, 2016.

Proposed law deletes the Aug. 1, 2016, termination date within which to take the notary examination and repeals the Aug. 1, 2016, sunset provision.

(Amends R.S. 35:191(W)(1)(b); Repeals R.S. 35:191(W)(9))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Civil Law and Procedure to the original bill:

1. Delete the Aug. 1, 2016, termination date within which to take the notary examination.