

2019 Regular Session

HOUSE BILL NO. 134

BY REPRESENTATIVE JENKINS

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

NOTARIES: Provides relative to qualifications to be appointed a notary public

1 AN ACT

2 To amend and reenact R.S. 35:191(A)(1)(d) and (C)(1)(d) and to repeal R.S. 35:191(V) and  
3 (W), relative to notaries public; to provide for qualifications; to provide for  
4 application periods; to provide relative to certain temporary and provisional  
5 commissions; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 35:191(A)(1)(d) and (C)(1)(d) are hereby amended and reenacted to  
8 read as follows:

9 §191. Appointment; qualifications; examination

10 A.(1)

11 \* \* \*

12 (d) Has received a high school diploma, has received a diploma for  
13 completion of a home study program approved by the State Board of Elementary and  
14 Secondary Education, or has been issued a high school equivalency diploma after  
15 successfully completing ~~the test of General Educational Development~~ a high school  
16 equivalency test approved by the Board of Supervisors of Community and Technical  
17 Colleges.

18 \* \* \*

19 C. Each applicant, otherwise qualified, may be appointed a notary public in  
20 and for a parish upon meeting all of the following conditions:

1 (1)

2 \* \* \*

3 (d) The deadline for the application provided for in Subparagraph (C)(1)(a)  
4 of this Section and the application fee provided for in Subparagraph (C)(1)(c) or to  
5 register to take the exam as provided for in R.S. 35:191.1 shall be no later than ~~sixty~~  
6 thirty days prior to the date of the examination.

7 \* \* \*

8 Section 2. R.S. 35:191(V) and (W) are hereby repealed in their entirety.

9 Section 3. This Act shall become effective upon signature by the governor or, if not  
10 signed by the governor, upon expiration of the time for bills to become law without signature  
11 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
12 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
13 effective on the day following such approval.

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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)]

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HB 134 Original

2019 Regular Session

Jenkins

**Abstract:** Provides relative to the qualifications for notaries public.

Present law provides for the qualifications to be commissioned as a notary public, which include, in part, that the applicant have a high school diploma or a diploma for completion of a home study program approved by the State Board of Elementary and Secondary Education, or the applicant has been issued a high school equivalency diploma after successfully completing the test of General Educational Development.

Proposed law retains present law and replaces the reference to the General Educational Development test with a high school equivalency test approved by the Board of Supervisors of Community and Technical Colleges as a qualification.

Present law provides that the deadline for the application and the application fee shall be no later than 60 days prior to the date of the examination.

Proposed law changes the present law deadline from 60 days to 30 days.

Present law authorizes notaries public in certain parishes who were displaced by Hurricanes Katrina or Rita to practice in the parish of their temporary residence, and further provides that the provisions of present law shall expire on Jan. 1, 2007.

Proposed law repeals the provisions of present law which have already expired.

Present law provides for the provisional appointment and powers of notaries who have passed only certain portions of the notary exam, and provides for additional requirements for appointment.

Present law provides that the provisions of present law shall expire on Aug. 1, 2017.

Proposed law repeals the provisions of present law which have already expired.

(Amends R.S. 35:191(A)(1)(d) and (C)(1)(d); Repeals R.S. 35:191(V) and (W))