

Regular Session, 2010

HOUSE BILL NO. 357

BY REPRESENTATIVE GALLOT

NOTARIES: Provides relative to notary commissions for nonresident persons licensed to practice law in La.

1 AN ACT

2 To amend and reenact R.S. 35:191(A)(1) and (P)(1)(a) and to enact R.S. 35:191(E)(3),  
3 relative to notaries public; to provide for the commission of certain persons licensed  
4 to practice law in Louisiana; to provide for changes in the parish of commission; to  
5 provide relative to statewide authority; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 35:191(A)(1) and (P)(1)(a) are hereby amended and reenacted and  
8 R.S. 35:191(E)(3) is enacted to read as follows:

9 §191. Appointment; qualifications; examination

10 A.(1)(a) Any person may be appointed a notary public in and for the parish  
11 in which he resides and in and for any one other parish in which he maintains an  
12 office, provided that he:

13 ~~(a)~~(i) Is a resident citizen or alien of this state.

14 ~~(b)~~(ii) Is eighteen years of age or older.

15 ~~(c)~~(iii) Reads, writes, speaks, and is sufficiently knowledgeable of the  
16 English language.

17 ~~(d)~~(iv) Is not under interdiction or incapable of serving as a notary because  
18 of mental infirmity.

19 ~~(e)~~(v) Meets the requirements established by law for each commission  
20 sought.



Present law provides that any person may be appointed a notary public in and for the parish in which he resides and in and for any one other parish in which he maintains an office, provided that he: (1) is a resident citizen or alien of this state; (2) is 18 years of age or older; (3) reads, writes, speaks, and is sufficiently knowledgeable of the English language; (4) is not under interdiction or incapable of serving as a notary because of mental infirmity; and (5) meets the requirements established by law for each commission sought.

Present law requires a resident seeking appointment as a notary to be a registered voter of his parish of residence.

Proposed law provides that notwithstanding the requirements of present law, any person who is not a resident of this state but who is licensed to practice law in this state and maintains an office in this state may be appointed a notary public in and for the parish in which his office is located.

Present law provides that a notary who is establishing a residence in a parish other than the parish of his commission and who seeks a commission in the parish of the new residence shall be deemed to be validly commissioned in the parish of his former residence for a period of 60 days.

Proposed law provides that a notary licensed to practice law in this state who is establishing an office in a parish other than the parish of his commission which was based on the location of his office and who seeks a commission in the parish of the new office shall be deemed to be validly commissioned in the parish of his former office for a period of 60 days.

Present law provides that notwithstanding the duties to meet the qualifications as a notary imposed as a result of a change in residence, each person who is licensed to practice law in this state who is a notary public in and for any parish in this state may exercise the functions of a notary public in every parish in this state.

Proposed law retains present law but also includes the duties to meet the qualifications as a notary imposed as a result of a change in the location of the notary's office.

(Amends R.S. 35:191(A)(1) and (P)(1)(a); Adds R.S. 35:191(E)(3))