

Regular Session, 2010

HOUSE BILL NO. 357

BY REPRESENTATIVE GALLOT

1 AN ACT

2 To enact R.S. 35:412, relative to notaries public; to provide for the appointment of certain  
3 persons licensed to practice law in Louisiana as notaries public ex officio; to provide  
4 for limited authority; to require bond or insurance; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 35:412 is hereby enacted to read as follows:

7 §412. Ex officio notaries; nonresident persons licensed to practice law with offices  
8 in this state

9 A. A person licensed to practice law in this state who is not a resident of this  
10 state but who maintains an office for the practice of law in this state, shall be a  
11 notary public ex officio and is authorized and empowered to exercise all the powers  
12 and functions of a regularly commissioned notary public in this state in any parish  
13 or parishes in which he maintains an office open to the public for the practice of law,  
14 upon filing a certificate of good standing from the Louisiana Supreme Court with the  
15 secretary of state.

16 B. No person qualified under this Section shall be required to otherwise  
17 qualify for, or hold, a regular commission as notary public to exercise such powers;  
18 however, the notary public ex officio shall furnish his current office address and  
19 residence address to the secretary of state as the registrar of notaries for the state.

20 C. Notwithstanding any provision of law to the contrary, any person  
21 exercising notarial functions pursuant to this Section is authorized to use the  
22 designation "notary public ex officio" with respect to the exercise of his powers, and  
23 shall be required to post bond or maintain insurance as required by the provisions of  
24 R.S. 35:71.

1                    D. A notary public ex officio exercising notarial functions as authorized by  
 2                    the provisions of this Section may charge fees for notary services commensurate with  
 3                    the reasonable and customary fees for notarial services in the parish or parishes  
 4                    where the notary public ex officio maintains his office.

5                    E. Any exercise of notarial powers pursuant to the provisions of this Section  
 6                    shall be deemed the practice of law for purposes of regulation by the Louisiana  
 7                    Supreme Court.

8                    F. A person authorized as a notary public ex officio pursuant to the  
 9                    provisions of this Section shall exercise his powers and functions as a notary public  
 10                   ex officio only within the parish or parishes in which he maintains an office open to  
 11                   the public for the practice of law in this state.

---

SPEAKER OF THE HOUSE OF REPRESENTATIVES

---

PRESIDENT OF THE SENATE

---

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_