
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 25 Session of
2013

INTRODUCED BY GRELL, CUTLER, FABRIZIO, TALLMAN, KAUFFMAN,
MARSICO, M. K. KELLER, GROVE, SANTARSIERO, GIBBONS, MILLER,
MURT, MILNE AND MATZIE, APRIL 22, 2013

REFERRED TO COMMITTEE ON JUDICIARY, APRIL 22, 2013

AN ACT

1 Amending Titles 42 (Judiciary and Judicial Procedure) and 57
2 (Notaries Public) of the Pennsylvania Consolidated Statutes,
3 enacting uniform laws on attestation in the areas of unsworn
4 foreign declarations and notarial acts; making editorial
5 changes; making related repeals; and abrogating a regulation.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. Section 327(a) of Title 42 of the Pennsylvania
9 Consolidated Statutes is amended to read:

10 § 327. Oaths and acknowledgments.

11 (a) General ability.--Each judicial officer, each clerk of
12 court, each retired or senior judge and such other personnel of
13 the system and jurors as may be designated by or pursuant to
14 general rules may administer oaths and affirmations and take
15 acknowledgments. An acknowledgment may be taken by a member of
16 the bar of the Supreme Court of Pennsylvania if the document is
17 thereafter certified to an officer authorized to administer
18 oaths. Certification by an attorney shall be in accordance with
19 [section 7(5) of the act of July 24, 1941 (P.L.490, No.188),

1 known as the Uniform Acknowledgment Act,] 57 Pa.C.S. Ch. 3
2 (relating to Revised Uniform Law on Notarial Acts) and shall
3 include the attorney's Supreme Court identification number.

4 * * *

5 Section 1.1. Title 42 is amended by adding a chapter to
6 read:

7 CHAPTER 62

8 UNIFORM UNSWORN FOREIGN

9 DECLARATIONS ACT

10 Sec.

11 6201. Short title.

12 6202. Definitions.

13 6203. Applicability.

14 6204. Validity of unsworn declaration.

15 6205. Required medium.

16 6206. Form of unsworn declaration.

17 6207. Uniformity of application and construction.

18 6208. Relation to Electronic Signatures in Global and National

19 Commerce Act.

20 § 6201. Short title.

21 This act shall be known and may be cited as the Uniform
22 Unsworn Foreign Declarations Act.

23 § 6202. Definitions.

24 The following words and phrases when used in this chapter
25 shall have the meanings given to them in this section unless the
26 context clearly indicates otherwise:

27 "Boundaries of the United States." The geographic boundaries
28 of the United States, Puerto Rico, the Virgin Islands and any
29 territory or insular possession subject to the jurisdiction of
30 the United States.

1 "Law." Includes the Federal or a state constitution, a
2 Federal or state statute, a judicial decision or order, a rule
3 of court, an executive order and an administrative rule,
4 regulation or order.

5 "Record." Information that is inscribed on a tangible medium
6 or that is stored in an electronic or other medium and is
7 retrievable in perceivable form.

8 "Sign." With present intent to authenticate or adopt a
9 record:

10 (1) to execute or adopt a tangible symbol; or

11 (2) to attach to or logically associate with the record
12 an electronic symbol, sound or process.

13 "State." A state of the United States, the District of
14 Columbia, Puerto Rico, the Virgin Islands or any territory or
15 insular possession subject to the jurisdiction of the United
16 States.

17 "Sworn declaration." A declaration in a signed record given
18 under oath. The term includes a sworn statement, verification,
19 certificate and affidavit.

20 "Unsworn declaration." A declaration in a signed record that
21 is not given under oath but is given under penalty of perjury.

22 § 6203. Applicability.

23 This chapter applies to an unsworn declaration by a declarant
24 who at the time of making the declaration is physically located
25 outside the boundaries of the United States whether or not the
26 location is subject to the jurisdiction of the United States.
27 This chapter does not apply to a declaration by a declarant who
28 is physically located on property that is within the boundaries
29 of the United States and subject to the jurisdiction of another
30 country or a federally recognized Indian tribe.

1 § 6204. Validity of unsworn declaration.

2 (a) General rule.--Except as set forth in subsection (b), if
3 a law of this Commonwealth requires or permits use of a sworn
4 declaration, an unsworn declaration meeting the requirements of
5 this chapter has the same effect as a sworn declaration.

6 (b) Exception.--This chapter does not apply to:

7 (1) a deposition;

8 (2) an oath of office;

9 (3) an oath or affirmation required to be given before a
10 specified official other than a notary public;

11 (4) a declaration relating to real property required or
12 authorized to be recorded; and

13 (5) an oath or affirmation required by 20 Pa.C.S. §
14 3132.1 (relating to self-proved wills).

15 § 6205. Required medium.

16 If a law of this Commonwealth requires that a sworn
17 declaration be presented in a particular medium, an unsworn
18 declaration must be presented in that medium.

19 § 6206. Form of unsworn declaration.

20 An unsworn declaration under this chapter must be in
21 substantially the following form:

22 I declare under penalty of perjury under the law of the
23 Commonwealth of Pennsylvania that the foregoing is true
24 and correct, and that I am physically located outside the
25 geographic boundaries of the United States, Puerto Rico,
26 the Virgin Islands and any territory or insular
27 possession subject to the jurisdiction of the United
28 States.

29 Executed on the _____ day of _____,

30 at _____,

1 310. Notarial act in this Commonwealth.
2 311. Notarial act in another state.
3 312. Notarial act under authority of federally recognized
4 Indian tribe.
5 313. Notarial act under Federal authority.
6 314. Foreign notarial act.
7 315. Certificate of notarial act.
8 316. Short form certificates.
9 317. Official stamp.
10 318. Stamping device.
11 319. Journal.
12 320. Notification regarding performance of notarial act on
13 electronic record; selection of technology.
14 321. Appointment and commission as notary public;
15 qualifications; no immunity or benefit.
16 322. Examination, basic education and continuing education.
17 323. Sanctions.
18 324. Database of notaries public.
19 325. Prohibited acts.
20 326. Validity of notarial acts.
21 327. Regulations.
22 328. Notary public commission in effect.
23 329. Savings clause.
24 329.1. Fees of notaries public.
25 330. Uniformity of application and construction.
26 331. Relation to Electronic Signatures in Global and National
27 Commerce Act.
28 § 301. Short title.
29 This chapter shall be known and may be cited as the Revised
30 Uniform Law on Notarial Acts.

1 § 302. Definitions.

2 The following words and phrases when used in this chapter
3 shall have the meanings given to them in this section unless the
4 context clearly indicates otherwise:

5 "Acknowledgment." A declaration by an individual before a
6 notarial officer that:

7 (1) the individual has signed a record for the purpose
8 stated in the record; and

9 (2) if the record is signed in a representative
10 capacity, the individual signed the record with proper
11 authority and signed it as the act of the individual or
12 entity identified in the record.

13 "Bureau." The Bureau of Commissions, Elections and
14 Legislation.

15 "Conviction." Whether or not judgment of sentenced has been
16 imposed, any of the following:

17 (1) An entry of a plea of guilty or nolo contendere.

18 (2) A guilty verdict, whether after trial by judge or by
19 jury.

20 (3) A finding of not guilty due to insanity or of guilty
21 but mentally ill.

22 "Department." The Department of State of the Commonwealth.

23 "Electronic." Relating to technology having electrical,
24 digital, magnetic, wireless, optical, electromagnetic or similar
25 capabilities.

26 "Electronic signature." An electronic symbol, sound or
27 process attached to or logically associated with a record and
28 executed or adopted by an individual with the intent to sign the
29 record.

30 "In a representative capacity." Acting as:

1 (1) an authorized officer, agent, partner, trustee or
2 other representative for a person other than an individual;

3 (2) a public officer, personal representative, guardian
4 or other representative, in the capacity stated in a record;

5 (3) an agent or attorney-in-fact for a principal; or

6 (4) an authorized representative of another in any other
7 capacity.

8 "Notarial act." An act, whether performed with respect to a
9 tangible or electronic record, that a notarial officer may
10 perform under the laws of this Commonwealth. The term includes:

11 (1) taking an acknowledgment;

12 (2) administering an oath or affirmation;

13 (3) taking a verification on oath or affirmation;

14 (4) witnessing or attesting a signature;

15 (5) certifying or attesting a copy or deposition; and

16 (6) noting a protest of a negotiable instrument.

17 "Notarial officer." A notary public or other individual
18 authorized to perform a notarial act.

19 "Notary public." An individual commissioned to perform a
20 notarial act by the department.

21 "Official stamp." A physical image affixed to or embossed on
22 a tangible record or an electronic image attached to or
23 logically associated with an electronic record. The term
24 includes a notary seal.

25 "Person." Any of the following:

26 (1) Any individual, corporation, business trust,
27 statutory trust, estate, trust, partnership, limited
28 liability company, association, joint venture or public
29 corporation.

30 (2) A government or governmental subdivision, agency or

1 instrumentality.

2 (3) Any other legal or commercial entity.

3 "Record." Information that is inscribed on a tangible medium
4 or that is stored in an electronic or other medium and is
5 retrievable in perceivable form.

6 "Recorder of deeds." A county recorder of deeds or an
7 official with similar duties and responsibilities. The term
8 includes the commissioner of records of a county of the first
9 class and the manager of the department of real estate of a
10 county of the second class.

11 "Secretary." The Secretary of the Commonwealth.

12 "Sign." With present intent to authenticate or adopt a
13 record:

14 (1) to execute or adopt a tangible symbol; or

15 (2) to attach to or logically associate with the record
16 an electronic symbol, sound or process.

17 "Signature." A tangible symbol or an electronic signature
18 which evidences the signing of a record.

19 "Stamping device." Any of the following:

20 (1) A physical device capable of affixing to or
21 embossing on a tangible record an official stamp.

22 (2) An electronic device or process capable of attaching
23 to or logically associating with an electronic record an
24 official stamp.

25 "State." A state of the United States, the District of
26 Columbia, Puerto Rico, the Virgin Islands or any territory or
27 insular possession subject to the jurisdiction of the United
28 States.

29 "Verification on oath or affirmation." A declaration, made
30 by an individual on oath or affirmation before a notarial

1 officer, that a statement in a record is true. The term includes
2 an affidavit.

3 § 303. Applicability.

4 This chapter applies to a notarial act performed on or after
5 the effective date of this chapter.

6 § 304. Authority to perform notarial act.

7 (a) Permitted.--A notarial officer may perform a notarial
8 act authorized by this chapter or by statutory provision other
9 than this chapter.

10 (b) Prohibited.--

11 (1) A notarial officer may not perform a notarial act
12 with respect to a record in which the officer or the
13 officer's spouse has a direct or pecuniary interest.

14 (2) For the purpose of this subsection, none of the
15 following shall constitute a direct or pecuniary interest:

16 (i) being a shareholder in a publicly traded company
17 that is a party to the notarized transaction;

18 (ii) being an officer, director or employee of a
19 company that is a party to the notarized transaction,
20 unless the director, officer or employee personally
21 benefits from the transaction other than as provided
22 under subparagraph (iii); or

23 (iii) receiving a fee that is not contingent upon
24 the completion of the notarized transaction.

25 (3) A notarial act performed in violation of this
26 subsection is voidable.

27 § 305. Requirements for certain notarial acts.

28 (a) Acknowledgments.--A notarial officer who takes an
29 acknowledgment of a record shall determine, from personal
30 knowledge or satisfactory evidence of the identity of the

1 individual, all of the following:

2 (1) The individual appearing before the officer and
3 making the acknowledgment has the identity claimed.

4 (2) The signature on the record is the signature of the
5 individual.

6 (b) Verifications.--A notarial officer who takes a
7 verification of a statement on oath or affirmation shall
8 determine, from personal knowledge or satisfactory evidence of
9 the identity of the individual, all of the following:

10 (1) The individual appearing before the officer and
11 making the verification has the identity claimed.

12 (2) The signature on the statement verified is the
13 signature of the individual.

14 (c) Signatures.--A notarial officer who witnesses or attests
15 to a signature shall determine, from personal knowledge or
16 satisfactory evidence of the identity of the individual, all of
17 the following:

18 (1) The individual appearing before the officer and
19 signing the record has the identity claimed.

20 (2) The signature on the record is the signature of the
21 individual.

22 (d) Copies.--A notarial officer who certifies or attests a
23 copy of a record or an item which was copied shall determine
24 that the copy is a complete and accurate transcription or
25 reproduction of the record or item.

26 (e) Negotiable instruments.--A notarial officer who makes or
27 notes a protest of a negotiable instrument shall determine the
28 matters set forth in 13 Pa.C.S. § 3505(b) (relating to evidence
29 of dishonor).

30 § 306. Personal appearance required.

1 If a notarial act relates to a statement made in or a
2 signature executed on a record, the individual making the
3 statement or executing the signature shall appear personally
4 before the notarial officer.

5 § 307. Identification of individual.

6 (a) Personal knowledge.--A notarial officer has personal
7 knowledge of the identity of an individual appearing before the
8 officer if the individual is personally known to the officer
9 through dealings sufficient to provide reasonable certainty that
10 the individual has the identity claimed.

11 (b) Satisfactory evidence.--A notarial officer has
12 satisfactory evidence of the identity of an individual appearing
13 before the officer if the officer can identify the individual as
14 set forth in any of the following paragraphs:

15 (1) By means set forth in any of the following
16 subparagraphs:

17 (i) A passport, driver's license or government
18 issued nondriver identification card, which is current
19 and unexpired.

20 (ii) Another form of government identification
21 issued to an individual, which:

22 (A) is current;

23 (B) contains the signature or a photograph of
24 the individual; and

25 (C) is satisfactory to the officer.

26 (2) By a verification on oath or affirmation of a
27 credible witness personally appearing before the officer and
28 personally known to the officer.

29 (c) Discretion.--A notarial officer may require an
30 individual to provide additional information or identification

1 credentials necessary to assure the officer of the identity of
2 the individual.

3 § 308. Authority to refuse to perform notarial act.

4 (a) Specific refusal.--A notarial officer may refuse to
5 perform a notarial act if the officer is not satisfied that:

6 (1) the individual executing the record is competent or
7 has the capacity to execute the record;

8 (2) the individual's signature is knowingly and
9 voluntarily made;

10 (3) the individual's signature on the record or
11 statement substantially conforms to the signature on a form
12 of identification used to determine the identity of the
13 individual; or

14 (4) the physical appearance of the individual signing
15 the record or statement substantially conforms to the
16 photograph on a form of identification used to determine the
17 identity of the individual.

18 (b) General refusal.--A notarial officer may refuse to
19 perform a notarial act unless refusal is prohibited by law other
20 than this chapter.

21 § 309. Signature if individual unable to sign.

22 (Reserved).

23 § 310. Notarial act in this Commonwealth.

24 (a) Eligible individuals.--A notarial act may be performed
25 in this Commonwealth by any of the following:

26 (1) A judge of a court of record.

27 (2) A clerk, prothonotary or deputy prothonotary or
28 deputy clerk of a court having a seal.

29 (3) Any of the following:

30 (i) A recorder of deeds.

1 (ii) A deputy recorder of deeds.

2 (iii) A clerk of a recorder of deeds to the extent
3 authorized by:

4 (A) section 1 of the act of May 17, 1949
5 (P.L.1397, No.414), entitled "An act authorizing the
6 recorder of deeds in counties of the first class to
7 appoint and empower clerks employed in his office to
8 administer oaths and affirmations";

9 (B) section 1312 of the act of July 28, 1953
10 (P.L.723, No.230), known as the Second Class County
11 Code; or

12 (C) section 1313 of the act of August 9, 1955
13 (P.L.323, No.130), known as The County Code.

14 (4) A notary public.

15 (5) A member of the minor judiciary. As used in this
16 paragraph, the term "minor judiciary" has the meaning given
17 in 42 Pa.C.S. § 102 (relating to definitions).

18 (6) An individual authorized by law to perform a
19 specific notarial act.

20 (b) Prima facie evidence.--The signature and title of an
21 individual performing a notarial act in this Commonwealth are
22 prima facie evidence that:

23 (1) the signature is genuine; and

24 (2) the individual holds the designated title.

25 (c) Conclusive determination.--The signature and title of a
26 notarial officer described in subsection (a) (1), (2), (3), (4)
27 or (5) conclusively establish the authority of the officer to
28 perform the notarial act.

29 § 311. Notarial act in another state.

30 (a) Effect.--A notarial act performed in another state has

1 the same effect under the law of this Commonwealth as if
2 performed by a notarial officer of this Commonwealth if the act
3 performed in that state is performed by any of the following:

4 (1) A notary public of that state.

5 (2) A judge, clerk or deputy clerk of a court of that
6 state.

7 (3) An individual authorized by the law of that state to
8 perform the notarial act.

9 (b) Prima facie evidence.--The signature and title of an
10 individual performing a notarial act in another state are prima
11 facie evidence that:

12 (1) the signature is genuine; and

13 (2) the individual holds the designated title.

14 (c) Conclusive determination.--The signature and title of a
15 notarial officer described in subsection (a) (1) or (2)
16 conclusively establish the authority of the officer to perform
17 the notarial act.

18 § 312. Notarial act under authority of federally recognized
19 Indian tribe.

20 (a) Effect.--A notarial act performed under the authority
21 and in the jurisdiction of a federally recognized Indian tribe
22 has the same effect as if performed by a notarial officer of
23 this Commonwealth if the act performed in the jurisdiction of
24 the tribe is performed by any of the following:

25 (1) A notary public of the tribe.

26 (2) A judge, clerk or deputy clerk of a court of the
27 tribe.

28 (3) An individual authorized by the law of the tribe to
29 perform the notarial act.

30 (b) Prima facie evidence.--The signature and title of an

1 individual performing a notarial act under the authority of and
2 in the jurisdiction of a federally recognized Indian tribe are
3 prima facie evidence that:

4 (1) the signature is genuine; and

5 (2) the individual holds the designated title.

6 (c) Conclusive determination.--The signature and title of a
7 notarial officer described in subsection (a)(1) or (2)
8 conclusively establish the authority of the officer to perform
9 the notarial act.

10 § 313. Notarial act under Federal authority.

11 (a) Effect.--A notarial act performed under Federal law has
12 the same effect under the law of this Commonwealth as if
13 performed by a notarial officer of this Commonwealth if the act
14 performed under Federal law is performed by any of the
15 following:

16 (1) A judge, clerk or deputy clerk of a court.

17 (2) An individual in military service or performing
18 duties under the authority of military service who is
19 authorized to perform notarial acts under Federal law.

20 (3) An individual designated a notarizing officer by the
21 United States Department of State for performing notarial
22 acts overseas.

23 (4) An individual authorized by Federal law to perform
24 the notarial act.

25 (b) Prima facie evidence.--The signature and title of an
26 individual acting under Federal authority and performing a
27 notarial act are prima facie evidence that:

28 (1) the signature is genuine; and

29 (2) the individual holds the designated title.

30 (c) Conclusive determination.--The signature and title of an

1 officer described in subsection (a)(1), (2) or (3) conclusively
2 establish the authority of the officer to perform the notarial
3 act.

4 § 314. Foreign notarial act.

5 (a) (Reserved).

6 (b) Effect.--

7 (1) This subsection applies to a notarial act:

8 (i) performed under authority and in the
9 jurisdiction of a foreign state or constituent unit of
10 the foreign state; or

11 (ii) performed under the authority of a
12 multinational or international governmental organization.

13 (2) A notarial act under paragraph (1) has the same
14 effect under the law of this Commonwealth as if performed by
15 a notarial officer of this Commonwealth.

16 (c) Conclusive establishment.--If the title of office and
17 indication of authority to perform notarial acts in a foreign
18 state appears in a digest of foreign law or in a list
19 customarily used as a source for that information, the authority
20 of an officer with that title to perform notarial acts is
21 conclusively established.

22 (d) Prima facie evidence.--The signature and official stamp
23 of an individual holding an office described in subsection (c)
24 are prima facie evidence that:

25 (1) the signature is genuine; and

26 (2) the individual holds the designated title.

27 (e) Hague Convention.--

28 (1) This subsection applies to an apostille which is:

29 (i) in the form prescribed by the Hague Convention
30 of October 5, 1961; and

1 (ii) issued by a foreign state party to the Hague
2 Convention.

3 (2) An apostille under paragraph (1) conclusively
4 establishes that:

5 (i) the signature of the notarial officer is
6 genuine; and

7 (ii) the officer holds the indicated office.

8 (f) Consular authentications.--

9 (1) This subsection applies to a consular
10 authentication:

11 (i) issued by an individual designated by the United
12 States Department of State as a notarizing officer for
13 performing notarial acts overseas; and

14 (ii) attached to the record with respect to which
15 the notarial act is performed.

16 (2) A consular authentication under paragraph (1)
17 conclusively establishes that:

18 (i) the signature of the notarial officer is
19 genuine; and

20 (ii) the officer holds the indicated office.

21 (g) Definition.--As used in this section, the term "foreign
22 state" means a government other than the United States, a state
23 or a federally recognized Indian tribe.

24 § 315. Certificate of notarial act.

25 (a) Requirements.--

26 (1) A notarial act shall be evidenced by a certificate.

27 (2) Regardless of whether the notarial officer is a
28 notary public, the certificate must:

29 (i) be executed contemporaneously with the
30 performance of the notarial act;

1 (ii) be signed and dated by the notarial officer;
2 (iii) identify the county and State in which the
3 notarial act is performed; and
4 (iv) contain the title of office of the notarial
5 officer.

6 (3) If the notarial officer is a notary public, all of
7 the following subparagraphs apply:

8 (i) The notary must:

9 (A) sign the notary's name exactly and only as
10 it appears on the commission; or

11 (B) execute the notary's electronic signature in
12 a manner which attributes the signature to the notary
13 identified in the commission.

14 (ii) The certificate must indicate the date of
15 expiration of the officer's commission.

16 (b) Official stamp.--

17 (1) If a notarial act regarding a tangible record is
18 performed by a notary public, an official stamp shall be
19 affixed to the certificate near the notary's signature in a
20 form capable of photographic reproduction.

21 (2) If a notarial act is performed regarding a tangible
22 record by a notarial officer other than a notary public and
23 the certificate contains the information specified in
24 subsection (a) (2) (ii), (iii) and (iv), an official stamp may
25 be affixed to the certificate.

26 (3) If a notarial act regarding an electronic record is
27 performed by a notary public and the certificate contains the
28 information specified in subsection (a) (2) (ii), (iii) and
29 (iv) and (3), an official stamp may be attached to or
30 logically associated with the certificate.

1 (4) If a notarial act regarding an electronic record is
2 performed by a notarial officer other than a notary public
3 and the certificate contains the information specified in
4 subsection (a) (2) (ii), (iii) and (iv), an official stamp may
5 be attached to or logically associated with the certificate.

6 (c) Sufficiency.--A certificate of a notarial act is
7 sufficient if it meets the requirements of subsections (a) and
8 (b) and:

9 (1) is in a short form set forth in section 316
10 (relating to short form certificates);

11 (2) is in a form otherwise permitted by a statutory
12 provision;

13 (3) is in a form permitted by the law applicable in the
14 jurisdiction in which the notarial act was performed; or

15 (4) sets forth the actions of the notarial officer and
16 the actions are sufficient to meet the requirements of the
17 notarial act as provided in:

18 (i) sections 305 (relating to requirements for
19 certain notarial acts) 306 (relating to personal
20 appearance required) and 307 (relating to identification
21 of individual); or

22 (ii) a statutory provision other than this chapter.

23 (d) Effect.--By executing a certificate of a notarial act, a
24 notarial officer certifies that the officer has complied with
25 the requirements and made the determinations specified in
26 sections 304 (relating to authority to perform notarial act),
27 305 and 306.

28 (e) Prohibition.--A notarial officer may not affix the
29 officer's signature to, or logically associate it with, a
30 certificate until the notarial act has been performed.

1 (f) Process.--

2 (1) If a notarial act is performed regarding a tangible
3 record, a certificate shall be part of, or securely attached
4 to, the record.

5 (2) If a notarial act is performed regarding an
6 electronic record, the certificate shall be affixed to, or
7 logically associated with, the electronic record.

8 (3) If the department has established standards under
9 section 327 (relating to regulations) for attaching, affixing
10 or logically associating the certificate, the process must
11 conform to the standards.

12 § 316. Short form certificates.

13 The following short form certificates of notarial acts are
14 sufficient for the purposes indicated, if completed with the
15 information required by section 315(a) and (b) (relating to
16 certificate of notarial act):

17 (1) For an acknowledgment in an individual capacity:

18 State of _____

19 County of _____.

20 This record was acknowledged before me on

21 (date) _____

22 by (name(s) of individual(s)) _____

23 _____.

24 Signature of notarial officer _____

25 Stamp

26 _____

27 Title of office _____

28 My commission expires: _____

29 (2) For an acknowledgment in a representative capacity:

30 State of _____

1 County of _____

2 This record was acknowledged before me on

3 (date) _____

4 by (name(s) of individual(s)) _____

5 _____

6 as (type of authority, such as officer or trustee)

7 _____

8 who represent that (he, she or they) are authorized to

9 act on behalf of (name of party on behalf of whom record

10 was executed) _____

11 _____.

12 Signature of notarial officer _____

13 Stamp

14 _____

15 Title of office _____

16 My commission expires: _____

17 (2.1) For an acknowledgment by an attorney at law

18 pursuant to 42 Pa.C.S. § 327 (relating to oaths and

19 acknowledgments): _____

20 State of _____

21 County of _____

22 This record was acknowledged before me on

23 (date) _____

24 by (name of attorney) _____

25 Supreme Court identification number _____

26 as a member of the bar of the Pennsylvania Supreme Court

27 and a subscribing witness to this record and certified

28 that he/she was personally present when (name(s) of

29 individuals) executed the record and that (name(s) of

30 individuals) executed the record for the purposes _____

1 contained therein.
2 Signature of notarial officer
3 Stamp
4 _____

5 Title of office
6 My commission expires:
7 (3) For a verification on oath or affirmation:
8 State of
9 County of
10 Signed and sworn to (or affirmed) before me on
11 (date)
12 by (name(s) of individual(s))
13 _____

14 making statement
15 Signature of notarial officer
16 Stamp
17 _____

18 Title of office
19 My commission expires:
20 (4) For witnessing or attesting a signature:
21 State of
22 County of
23 Signed (or attested) before me on
24 (date)
25 by (name(s) of individual(s))
26 _____

27 Signature of notarial officer
28 Stamp
29 _____

30 Title of office

1 My commission expires: _____

2 (5) For certifying a copy of a record:

3 State of _____

4 County of _____

5 I certify that this is a true and correct copy of a _____

6 in the possession of _____.

7 Dated _____

8 Signature of notarial officer.....

9 Stamp

10 _____

11 Title of office _____

12 My commission expires: _____

13 (6) For certifying the transcript of a deposition:

14 State of _____

15 County of _____

16 I certify that this is a true and correct copy of the _____

17 transcript of the deposition of _____.

18 Dated _____

19 Signature of notarial officer

20 Stamp

21 _____

22 Title of office: _____

23 My commission expires: _____

24 § 317. Official stamp.

25 The following shall apply to the official stamp of a notary
26 public:

27 (1) A notary public shall provide and keep an official

28 seal, which shall be used to authenticate all the acts,

29 instruments and attestations of the notary. The seal must be

30 a rubber stamp and must show clearly in the following order:

1 (i) The words "Commonwealth of Pennsylvania."

2 (ii) The words "Notary Seal."

3 (iii) The name as it appears on the commission of
4 the notary and the words "Notary Public."

5 (iv) The name of the county in which the notary
6 public maintains an office.

7 (v) The date the notary's commission expires.

8 (vi) Any other information required by the
9 department.

10 (2) The seal must have a maximum height of one inch and
11 width of three and one-half inches, with a plain border.

12 (3) The seal must be capable of being copied together
13 with the record to which it is affixed or attached or with
14 which it is logically associated.

15 § 318. Stamping device.

16 (a) Security.--

17 (1) A notary public is responsible for the security of
18 the stamping device of the notary public. A notary public may
19 not allow another individual to use the device to perform a
20 notarial act.

21 (2) On resignation of a notary public commission or on
22 the expiration of the date set forth in the stamping device,
23 the notary public shall disable the stamping device by
24 destroying, defacing, damaging, erasing or securing it
25 against use in a manner which renders it unusable.

26 (2.1) An individual whose notary public commission has
27 been suspended or revoked shall surrender possession of the
28 stamping device to the department.

29 (3) On the death or adjudication of incompetency of a
30 notary public, the personal representative or guardian of the

1 notary public or any person knowingly in possession of the
2 stamping device shall render it unusable by destroying,
3 defacing, damaging, erasing or securing it against use in a
4 manner which renders it unusable.

5 (b) Loss or theft.--If a stamping device is lost or stolen,
6 the notary public or the personal representative or guardian of
7 the notary public shall notify the department promptly upon
8 discovering that the device is lost or stolen.

9 § 319. Journal.

10 (a) Maintenance.--A notary public shall maintain a journal
11 in which the notary public records in chronological order all
12 notarial acts that the notary public performs.

13 (b) Format.--A journal may be created on a tangible medium
14 or in an electronic format. A notary public may maintain a
15 separate journal for tangible records and for electronic
16 records. If the journal is maintained on a tangible medium, it
17 shall be a bound register with numbered pages. If the journal is
18 maintained in an electronic format, it shall be in a tamper-
19 evident electronic format complying with the regulations of the
20 department.

21 (c) Entries.--An entry in a journal shall be made
22 contemporaneously with performance of the notarial act and
23 contain all of the following information:

24 (1) The date and time of the notarial act.

25 (2) A description of the record, if any, and type of
26 notarial act.

27 (3) The full name and address of each individual for
28 whom the notarial act is performed.

29 (4) If identity of the individual is based on personal
30 knowledge, a statement to that effect.

1 (5) If identity of the individual is based on
2 satisfactory evidence, a brief description of the method of
3 identification and any identification credential presented,
4 including the date of issuance and expiration of an
5 identification credential.

6 (6) The fee charged by the notary public.

7 (d) Loss or theft.--If a journal is lost or stolen, the
8 notary public promptly shall notify the department on
9 discovering that the journal is lost or stolen.

10 (e) Termination of office.--A notary public shall deliver
11 the journal of the notary public to the office of the recorder
12 of deeds in the county where the notary last maintained an
13 office within 30 days of:

14 (1) expiration of the commission of the notary public,
15 unless the notary public applies for a commission within that
16 time period;

17 (2) resignation of the commission of the notary public;
18 or

19 (3) revocation of the commission of the notary public.

20 (f) Repository.--(Reserved).

21 (g) Death or incompetency.--On the death or adjudication of
22 incompetency of a current or former notary public, the personal
23 representative or guardian of the notary public or a person
24 knowingly in possession of the journal of the notary public
25 shall deliver it within 30 days to the office of the recorder of
26 deeds in the county where the notary last maintained an office.

27 (g.1) Certified copies.--A notary public shall give a
28 certified copy of the journal to a person that applies for it.

29 (h) Protection.--

30 (1) A journal and each public record of the notary

1 public are exempt from execution.

2 (2) A journal is the exclusive property of the notary
3 public.

4 (3) A journal may not be:

5 (i) used by any person other than the notary public;

6 or

7 (ii) surrendered to an employer of the notary upon
8 termination of employment.

9 § 320. Notification regarding performance of notarial act on
10 electronic record; selection of technology.

11 (a) Selection.--A notary public may select one or more
12 tamper-evident technologies to perform notarial acts with
13 respect to electronic records. A person may not require a notary
14 public to perform a notarial act with respect to an electronic
15 record with a technology that the notary public has not
16 selected.

17 (b) Notice and approval.--

18 (1) Before a notary public performs the initial notarial
19 act with respect to an electronic record, a notary public
20 shall notify the department that the notary public will be
21 performing notarial acts with respect to electronic records
22 and identify each technology the notary public intends to
23 use.

24 (2) If the department has established standards for
25 approval of technology under section 327 (relating to
26 regulations), the technology must conform to the standards.
27 If the technology conforms to the standards, the department
28 shall approve the use of the technology.

29 § 321. Appointment and commission as notary public;
30 qualifications; no immunity or benefit.

1 (a) Eligibility.--An applicant for appointment and
2 commission as a notary public must meet all of the following:

3 (1) Be at least 18 years of age.

4 (2) Be a citizen or permanent legal resident of the
5 United States.

6 (3) Be a resident of or have a place of employment or
7 practice in this Commonwealth.

8 (4) Be able to read and write English.

9 (5) Not be disqualified to receive a commission under
10 section 323 (relating to sanctions).

11 (6) Have passed the examination required under section
12 322(a) (relating to examination, basic education and
13 continuing education).

14 (7) Comply with other requirements established by the
15 department by regulation as necessary to insure the
16 competence, integrity and qualifications of a notary public
17 and to insure the proper performance of notarial acts.

18 (b) Application.--An individual qualified under subsection
19 (a) may apply to the department for appointment and commission
20 as a notary public. The application must comply with all of the
21 following:

22 (1) Be made to the department on a form prescribed by
23 the department.

24 (2) Be accompanied by a nonrefundable fee of \$42,
25 payable to the Commonwealth of Pennsylvania. This amount
26 shall include the application fee for notary commission and
27 fee for filing of the bond with the department.

28 (3) Bear an endorsement as follows:

29 (i) Except as set forth in this paragraph, the
30 endorsement of the senator of the district in which the

1 applicant resides.

2 (ii) If the applicant does not reside in this
3 Commonwealth, the endorsement of the senator of the
4 district in which the applicant is employed.

5 (iii) If there is a vacancy in the senatorial
6 district under subparagraph (i) or (ii), the endorsement
7 of the senator of an adjacent district.

8 (c) Oath or affirmation.--Upon appointment and before
9 issuance of a commission as a notary public, an applicant must
10 execute an oath or affirmation of office.

11 (d) Bond.--

12 (1) Upon appointment and before issuance of a commission
13 as a notary public, the applicant must obtain a surety bond
14 in:

15 (i) the amount of \$10,000; or

16 (ii) the amount set by regulation of the department.

17 (2) (Reserved).

18 (3) The bond must:

19 (i) be executed by an insurance company authorized
20 to do business in this Commonwealth;

21 (ii) cover acts performed during the term of the
22 notary public commission; and

23 (iii) be in the form prescribed by the department.

24 (4) If a notary public violates law with respect to
25 notaries public in this Commonwealth, the surety or issuing
26 entity is liable under the bond.

27 (5) The surety or issuing entity must give 30 days'
28 notice to the department before canceling the bond.

29 (6) The surety or issuing entity shall notify the
30 department not later than 30 days after making a payment to a

1 claimant under the bond.

2 (7) A notary public may perform notarial acts in this
3 Commonwealth only during the period in which a valid bond is
4 on file with the department.

5 (d.1) Official signature.--

6 (1) The official signature of each notary public shall
7 be registered, for a fee of 50¢, in the "Notary Register"
8 provided for that purpose in the prothonotary's office of the
9 county where the notary public maintains an office within:

10 (i) 45 days after appointment or reappointment; and

11 (ii) 30 days after moving to a different county.

12 (2) In a county of the second class, the official
13 signature of each notary public shall be registered in the
14 office of the clerk of courts within the time periods
15 specified in paragraph (1).

16 (d.2) Recording and filing.--

17 (1) Upon appointment and prior to entering into the
18 duties of a notary public, the bond, oath of office and
19 commission must be recorded in the office of the recorder of
20 deeds of the county in which the notary maintains an office.

21 (2) Upon reappointment, the bond, oath of office and
22 commission must be recorded in the office of the recorder of
23 deeds of the county in which the notary maintains an office.

24 (3) Within 90 days of recording under this subsection, a
25 copy of the bond and oath of office must be filed with the
26 department.

27 (e) Issuance.--On compliance with this section, the
28 department shall issue to an applicant a commission as a notary
29 public for a term of four years.

30 (f) Effect.--

1 (1) A commission to act as a notary public authorizes a
2 notary public to perform notarial acts. If a notary public
3 fails to comply with subsection (d.1) or (d.2), the notary's
4 commission shall be null and void.

5 (2) A commission to act as a notary public does not
6 provide a notary public any immunity or benefit conferred by
7 law of this Commonwealth on public officials or employees.

8 § 322. Examination, basic education and continuing education.

9 (a) Examination.--An applicant for a commission as a notary
10 public who does not hold a commission in this Commonwealth must
11 pass an examination administered by the department or an entity
12 approved by the department. The examination must be based on the
13 course of study described in subsection (b).

14 (b) Basic education.--An applicant under subsection (a)
15 must, within the six-month period immediately preceding
16 application, complete a course of at least three hours of notary
17 basic education approved by the department. For approval, the
18 following apply:

19 (1) The course must cover the statutes, regulations,
20 procedures and ethics relevant to notarial acts, with a core
21 curriculum including the duties and responsibilities of the
22 office of notary public and electronic notarization.

23 (2) The course must either be interactive or classroom
24 instruction.

25 (c) Continuing education.--An applicant for renewal of
26 appointment and commission as a notary public must, within the
27 six-month period immediately preceding application, complete a
28 course of at least three hours of notary continuing education
29 approved by the department. For approval, the following apply:

30 (1) The course must cover topics which ensure

1 maintenance and enhancement of skill, knowledge and
2 competency necessary to perform notarial acts.

3 (2) The course must either be interactive or classroom
4 instruction.

5 (d) Preapproval.--All basic and continuing education courses
6 of study must be preapproved by the department.

7 § 323. Sanctions.

8 (a) Authority.--The department may deny, refuse to renew,
9 revoke, suspend, reprimand or impose a condition on a commission
10 as notary public for an act or omission which demonstrates that
11 the individual lacks the honesty, integrity, competence or
12 reliability to act as a notary public. Such acts or omissions
13 include:

14 (1) Failure to comply with this chapter.

15 (2) A fraudulent, dishonest or deceitful misstatement or
16 omission in the application for a commission as a notary
17 public submitted to the department.

18 (3) Conviction of, or acceptance of Accelerated
19 Rehabilitative Disposition by, the applicant or notary public
20 for a felony or an offense involving fraud, dishonesty or
21 deceit.

22 (4) A finding against, or admission of liability by, the
23 applicant or notary public in a legal proceeding or
24 disciplinary action based on the fraud, dishonesty or deceit
25 of the applicant or notary public.

26 (5) Failure by a notary public to discharge a duty
27 required of a notary public, whether by this chapter, by
28 regulation of the department or by Federal or State law.

29 (6) Use of false or misleading advertising or
30 representation by a notary public representing that the

1 notary has a duty, right or privilege that the notary does
2 not have.

3 (7) Violation by a notary public of a regulation of the
4 department regarding a notary public.

5 (8) Denial, refusal to renew, revocation, suspension or
6 conditioning of a notary public commission in another state.

7 (9) Failure of a notary public to maintain a bond under
8 section 321(d) (relating to appointment and commission as
9 notary public; qualifications; no immunity or benefit).

10 (a.1) Administrative penalty.--The department may impose an
11 administrative penalty of up to \$1,000 on a notary public for
12 each act or omission which constitutes a violation of this
13 chapter or on any person who performs a notarial act without
14 being properly appointed and commissioned under this chapter.

15 (b) Administrative Agency Law.--Action by the department
16 under subsection (a) or (a.1) is subject to 2 Pa.C.S. Ch. 5
17 Subch. A (relating to practice and procedure of Commonwealth
18 agencies) and Ch. 7 Subch. A (relating to judicial review of
19 Commonwealth agency action).

20 (c) Other remedies.--The authority of the department under
21 this section does not prevent a person from seeking and
22 obtaining other criminal or civil remedies provided by law.

23 (d) Investigations and hearings.--

24 (1) The department may issue a subpoena, upon
25 application of an attorney responsible for representing the
26 Commonwealth in disciplinary matters before the department,
27 for the purpose of investigating alleged violations of the
28 disciplinary provisions administered by the department.

29 (2) In an investigation or hearing, the department, as
30 it deems necessary, may subpoena witnesses, administer oaths,

1 examine witnesses, take testimony and compel the production
2 of documents.

3 (3) The department may apply to Commonwealth Court under
4 42 Pa.C.S. § 761(a)(2) (relating to original jurisdiction)
5 to enforce a subpoena under this subsection.

6 (e) Other enforcement authority.--The department may
7 initiate civil proceedings at law or in equity to enforce the
8 requirements of this chapter and to enforce regulations or
9 orders issued under this chapter. In addition, the department
10 may request the prosecution of criminal offenses to the extent
11 provided by this chapter or as otherwise provided by law
12 relating to notaries, notarial officers or notarial acts, in the
13 manner provided by the act of October 15, 1980 (P.L.950,
14 No.164), known as the Commonwealth Attorneys Act.

15 (f) Criminal penalties applicable.--The following apply:

16 (1) Except as provided in this chapter or otherwise
17 provided by law, it is unlawful for a person to hold himself
18 out as a notary public or as a notarial officer or to perform
19 a notarial act.

20 (2) Falsely pretending to be a notary public or a
21 notarial officer and performing any action in furtherance of
22 such false pretense shall subject the person to the penalties
23 set forth in 18 Pa.C.S. § 4913 (relating to impersonating a
24 notary public or a holder of a professional or occupational
25 license).

26 (3) The use of an official stamp by a person who is not
27 a notary public named on the stamp shall constitute a
28 violation of 18 Pa.C.S. § 4913.

29 (4) Except as provided in paragraph (2) or (3), any
30 person violating this chapter or a regulation of the

1 department commits a summary offense and shall, upon
2 conviction, be sentenced to pay a fine of not more than
3 \$1,000.

4 § 324. Database of notaries public.

5 The department shall maintain an electronic database of
6 notaries public:

7 (1) through which a person may verify the authority of a
8 notary public to perform notarial acts; and

9 (2) which indicates whether a notary public has notified
10 the department that the notary public will be performing
11 notarial acts on electronic records.

12 § 325. Prohibited acts.

13 (a) No authority.--A commission as a notary public does not
14 authorize the notary public to:

15 (1) assist persons in drafting legal records, give legal
16 advice or otherwise practice law;

17 (2) act as an immigration consultant or an expert on
18 immigration matters;

19 (3) represent a person in a judicial or administrative
20 proceeding relating to immigration to the United States,
21 United States citizenship or related matters; or

22 (4) receive compensation for performing any of the
23 activities listed in this subsection.

24 (b) False advertising.--A notary public may not engage in
25 false or deceptive advertising.

26 (c) Designation.--

27 (1) Except as set forth in paragraph (2), a notary
28 public may not use the term "notario" or "notario publico."

29 (2) Paragraph (1) does not apply to an attorney at law.

30 (d) Representations.--

1 (1) Except as set forth in paragraph (2), the following
2 apply:

3 (i) A notary public may not advertise or represent
4 that the notary public may:

5 (A) assist persons in drafting legal records;

6 (B) give legal advice; or

7 (C) otherwise practice law.

8 (ii) If a notary public advertises or represents
9 that the notary public offers notarial services, whether
10 orally or in a record, including broadcast media, print
11 media and the Internet, the notary public shall include
12 the following statement, or an alternate statement
13 authorized or required by the department, in the
14 advertisement or representation, prominently and in each
15 language used in the advertisement or representation:

16 "I am not an attorney licensed to practice law in
17 this Commonwealth. I am not allowed to draft legal
18 records, give advice on legal matters, including
19 immigration, or charge a fee for those activities."

20 (iii) If the form of advertisement or representation
21 is not broadcast media, print media or the Internet and
22 does not permit inclusion of the statement required by
23 this subsection because of size, it shall be displayed
24 prominently or provided at the place of performance of
25 the notarial act before the notarial act is performed.

26 (2) Paragraph (1) does not apply to an attorney at law.

27 (e) Original records.--Except as otherwise allowed by law, a
28 notary public may not withhold access to or possession of an
29 original record provided by a person that seeks performance of a
30 notarial act by the notary public.

1 (f) Crimes Code.--There are provisions in 18 Pa.C.S.
2 (relating to crimes and offenses) which apply to notaries.
3 § 326. Validity of notarial acts.

4 (a) Failures.--Except as otherwise provided in section
5 304(b) (relating to authority to perform notarial act), the
6 failure of a notarial officer to perform a duty or meet a
7 requirement specified in this chapter does not invalidate a
8 notarial act performed by the notarial officer.

9 (b) Invalidation.--The validity of a notarial act under this
10 chapter does not prevent an aggrieved person from seeking to
11 invalidate the record or transaction which is the subject of the
12 notarial act or from seeking other remedies based on Federal law
13 or the law of this Commonwealth other than this chapter.

14 (c) Lack of authority.--This section does not validate a
15 purported notarial act performed by an individual who does not
16 have the authority to perform notarial acts.

17 § 327. Regulations.

18 (a) Authority.--Except as provided in section 329.1(a)
19 (relating to fees of notaries public), the department may
20 promulgate regulations to implement this chapter. Regulations
21 regarding the performance of notarial acts with respect to
22 electronic records may not require, or accord greater legal
23 status or effect to, the implementation or application of a
24 specific technology or technical specification. Regulations may:

25 (1) Prescribe the manner of performing notarial acts
26 regarding tangible and electronic records.

27 (2) Include provisions to ensure that any change to or
28 tampering with a record bearing a certificate of a notarial
29 act is self-evident.

30 (3) Include provisions to ensure integrity in the

1 creation, transmittal, storage or authentication of
2 electronic records or signatures.

3 (4) Prescribe the process of granting, renewing,
4 conditioning, denying, suspending or revoking a notary public
5 commission and assuring the trustworthiness of an individual
6 holding a commission as notary public.

7 (5) Include provisions to prevent fraud or mistake in
8 the performance of notarial acts.

9 (6) Establish the process for approving and accepting
10 surety bonds under section 321(d) (relating to appointment
11 and commission as notary public; qualifications; no immunity
12 or benefit).

13 (7) Provide for the administration of the examination
14 under section 322(a) (relating to examination, basic
15 education and continuing education) and the course of study
16 under section 322(b).

17 (8) Include any other provision necessary to implement
18 this chapter.

19 (b) Considerations.--In promulgating regulations about
20 notarial acts with respect to electronic records, the department
21 shall consider, so far as is consistent with this chapter:

22 (1) the most recent standards regarding electronic
23 records promulgated by national bodies, such as the National
24 Association of Secretaries of State;

25 (2) standards, practices and customs of other states
26 which substantially enact the Revised Uniform Law on Notarial
27 Acts; and

28 (3) the views of governmental officials and entities and
29 other interested persons.

30 § 328. Notary public commission in effect.

1 A commission as a notary public in effect on the effective
2 date of this chapter continues until its date of expiration. A
3 notary public who applies to renew a commission as a notary
4 public on or after the effective date of this chapter is subject
5 to this chapter. A notary public, in performing notarial acts
6 after the effective date of this chapter, shall comply with this
7 chapter.

8 § 329. Savings clause.

9 This chapter does not affect the validity or effect of a
10 notarial act performed before the effective date of this
11 chapter.

12 § 329.1. Fees of notaries public.

13 (a) Department.--The fees of notaries public shall be fixed
14 by the department by regulation.

15 (b) Prohibition.--A notary public may not charge or receive
16 a notary public fee in excess of the fee fixed by the
17 department.

18 (c) Operation.--

19 (1) The fees of the notary shall be separately stated.

20 (2) A notary public may waive the right to charge a fee.

21 (3) Unless paragraph (2) applies, a notary public shall:

22 (i) display fees in a conspicuous location in the
23 place of business of the notary public; or

24 (ii) provide fees, upon request, to a person
25 utilizing the services of the notary public.

26 (d) Presumption.--The fee for a notary public:

27 (1) shall be the property of the notary public; and

28 (2) unless mutually agreed by the notary public and the
29 employer, shall not belong to or be received by the entity
30 that employs the notary public.

1 § 330. Uniformity of application and construction.

2 In applying and construing this chapter, consideration must
3 be given to the need to promote uniformity of the law with
4 respect to its subject matter among states that enact it.

5 § 331. Relation to Electronic Signatures in Global and National
6 Commerce Act.

7 To the extent permitted by section 102 of the Electronic
8 Signatures in Global and National Commerce Act (Public Law 106-
9 229, 15 U.S.C. § 7002), this chapter may modify or supersede
10 provisions of that act.

11 Section 3. Repeals are as follows:

12 (1) The General Assembly declares the repeals under
13 paragraph (2) are necessary to effectuate the addition of 57
14 Pa.C.S. Ch. 3.

15 (2) The following acts and parts of acts are repealed:

16 (i) Act of May 24, 1917 (P.L.270, No.147), entitled
17 "An act to validate affidavits, acknowledgments, and
18 other notarial acts, heretofore performed by notaries
19 public of this Commonwealth within three months after the
20 expiration of the time for which they have been
21 commissioned to act."

22 (ii) Act of March 14, 1919 (P.L.18, No.9), entitled
23 "An act conferring upon judge advocates of the United
24 States Army the powers of notaries public, declaring the
25 effect thereof; validating notarial acts heretofore
26 performed by judge advocates, and declaring the effect
27 thereof."

28 (iii) Section 618-A(1)(i) of the act of April 9,
29 1929 (P.L.177, No.175), known as The Administrative Code
30 of 1929.

1 (iv) Act of June 1, 1933 (P.L.1150, No.286),
2 entitled "A supplement to an act, approved May sixth, one
3 thousand nine hundred and thirty-one (Pamphlet Laws,
4 ninety-nine), entitled 'An act to amend section seven of
5 the act, approved the fifth day of March, one thousand
6 seven hundred and ninety-one (three Smith's Laws, six),
7 entitled "An act to enable the Governor to appoint
8 Notaries Public, and for other purposes therein
9 mentioned," prescribing the form of notary seal,' by
10 providing that the presence of the arms of this
11 Commonwealth on the seal of a notary public reappointed
12 after the effective date of the act to which this is a
13 supplement, and prior to the effective date of this act,
14 shall not invalidate said seal, or the notarial acts,
15 instruments or attestations authenticated by such seal."

16 (v) Act of May 25, 1939 (P.L.223, No.125), entitled
17 "An act relating to the administration of oaths, by
18 notaries public, magistrates, alderman and justices of
19 the peace; and validating certain oaths heretofore
20 taken."

21 (vi) The act of July 24, 1941 (P.L.490, No.188),
22 known as the Uniform Acknowledgment Act.

23 (vii) Act of July 28, 1953 (P.L.676, No.211),
24 entitled "An act authorizing acknowledgments and
25 affidavits by persons on active duty with the armed
26 forces of the United States before persons authorized by
27 act of Congress to act as notaries public; and validating
28 certain acknowledgments and affidavits."

29 (viii) Act of August 19, 1953 (P.L.1104, No.301),
30 entitled "An act relating to the acknowledgment of

1 instruments, the attestation of documents, the
2 administration of oaths and affirmations, the execution
3 of depositions and affidavits, and other notarial acts,
4 heretofore or hereafter taken before any commissioned
5 officer of the armed forces of the United States, and
6 providing that such instruments and documents executed by
7 any person who is a member of or actually present with
8 the armed forces of the United States or is outside the
9 United States for certain purposes shall be legal, valid
10 and binding, and providing for the form of the instrument
11 or document and what proof shall be sufficient of the
12 authority of such commissioned officer so to act."

13 (ix) Act of August 21, 1953 (P.L.1323, No.373),
14 known as The Notary Public Law.

15 (x) Act of December 13, 1955 (P.L.848, No.251),
16 entitled "An act providing for the revocation of
17 commission of notaries public issuing checks without
18 funds on deposit."

19 Section 3.1. The fee of \$25 for a Notary Public Commission
20 and the \$2 fee for Filing Bond for any Public Office in 4 Pa.
21 Code § 161.1 are abrogated.

22 Section 4. Upon approval of courses under 57 Pa.C.S. §
23 322(b) and (c), the Department of State shall transmit notice of
24 the approval to the Legislative Reference Bureau for publication
25 in the Pennsylvania Bulletin.

26 Section 5. This act shall take effect as follows:

27 (1) The following provisions shall take effect
28 immediately:

29 (i) The authority of the Department of State to
30 approve courses under 57 Pa.C.S. § 322(b) and (c).

1 (ii) The addition of 57 Pa.C.S. §§ 327 and 329.1(a).

2 (iii) Section 4 of this act.

3 (iv) This section.

4 (2) The addition of 42 Pa.C.S. Ch. 62 shall take effect
5 in 60 days.

6 (3) The remainder of this act shall take effect 180 days
7 after publication of the notice under section 4 of this act.