

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

SECOND SESSION

LEGISLATIVE BILL 1162

Introduced by Nelson, 6.

Read first time January 19, 2012

Committee: Judiciary

A BILL

1 FOR AN ACT relating to notaries public; to amend sections 64-101 and
2 64-112, Reissue Revised Statutes of Nebraska; to provide
3 for appointment of nonresidents as prescribed; to
4 harmonize provisions; and to repeal the original
5 sections.
6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 64-101, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 64-101 (1) The Secretary of State may appoint and
4 commission such number of ~~persons~~residents of Nebraska to the office
5 of notary public as he or she deems necessary. The Secretary of State
6 may appoint and commission a resident of a state bordering Nebraska
7 if the person is employed or has a business in Nebraska.

8 (2) There shall be one class of such appointments which
9 shall be valid in the entire state and referred to as general
10 notaries public.

11 (3) The term effective date, as used with reference to a
12 commission of a notary public, shall mean the date of the commission
13 unless the commission states when it goes into effect, in which event
14 that date shall be the effective date.

15 (4) A general commission may refer to the office as
16 notary public and shall contain a provision showing that the person
17 therein named is authorized to act as a notary public anywhere within
18 the State of Nebraska or, in lieu thereof, may contain the word
19 general or refer to the office as general notary public.

20 (5) No person shall be appointed a notary public unless
21 he or she has taken and passed a written examination on the duties
22 and obligations of a notary public as provided in section 64-101.01.

23 (6) No appointment shall be made if such applicant has
24 been convicted of a felony or other crime involving fraud or
25 dishonesty.

1 (7) No appointment shall be made until such applicant has
2 attained the age of nineteen years nor unless such applicant
3 certifies to the Secretary of State under oath that he or she has
4 carefully read and understands the laws relating to the duties of
5 notaries public and will, if commissioned, faithfully discharge the
6 duties pertaining to the office and keep records according to law.

7 (8) Each person appointed a notary public shall hold
8 office for a term of four years from the effective date of his or her
9 commission unless sooner removed.

10 Sec. 2. Section 64-112, Reissue Revised Statutes of
11 Nebraska, is amended to read:

12 64-112 (1) Every notary public ~~removing who is a resident~~
13 of the State of Nebraska and who moves from the State of Nebraska
14 shall notify the Secretary of State of such removal. Such a removal
15 shall terminate the term of ~~his office.~~ the commission.

16 (2) The commission of a notary public who is not a
17 resident of the State of Nebraska as authorized in subsection (1) of
18 section 64-101 shall terminate if he or she ceases to be employed or
19 maintain a business in Nebraska.

20 Sec. 3. Original sections 64-101 and 64-112, Reissue
21 Revised Statutes of Nebraska, are repealed.