

2021 Regular Session

HOUSE BILL NO. 307

BY REPRESENTATIVE SCHAMERHORN

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

NOTARIES: Provides relative to notary examination preparatory education and instruction reporting requirements

1 AN ACT

2 To amend and reenact R.S. 35:191.4(E), (F), (G), and (H) and to repeal R.S. 35:191.4(I),
3 relative to notaries public; to provide relative to notary examination study course
4 providers; to repeal the semiannual report requirement; to provide for an effective
5 date; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 35:191.4(E), (F), (G), and (H) are hereby amended and reenacted to
8 read as follows:

9 §191.4. Secretary of state; procedures for registration and reporting of notary
10 instructors

11 * * *

12 E. ~~Beginning in 2010, each provider shall submit a semiannual report to the~~
13 ~~secretary of state on or before June thirtieth and December thirty-first listing the~~
14 ~~name and address of each person who received a course or courses of instruction or~~
15 ~~study from the provider for the training and instruction for the Louisiana notary~~
16 ~~public examination required for the office of notary public during the time period~~
17 ~~covered by the report. The secretary of state shall provide the form to be used for the~~
18 ~~semiannual report and all reports shall be submitted on the form provided by the~~
19 ~~secretary of state or on a form which contains the same information as required by~~
20 ~~the report provided by the secretary of state.~~

1 ~~F.~~(1) The secretary of state may impose a penalty of not more than one
2 thousand dollars per day against a provider who is not in compliance with the
3 requirements of this Section.

4 (2) If a penalty imposed under the provisions of this Section is not timely
5 paid by a provider within thirty days of imposition of the penalty by the secretary of
6 state, the attorney general shall institute proceedings against the provider to collect
7 such penalty.

8 ~~G.F.~~ Each provider shall be exempt from the licensing requirements of R.S.
9 17:3141.1 et seq., pertaining to such educational programs or instruction.

10 ~~H.G.~~ The secretary of state may establish and require an annual professional
11 development and education program for providers.

12 ~~H.H.~~ The secretary of state may promulgate rules and regulations, where
13 necessary, for implementation of the provisions of this Section, in accordance with
14 the Administrative Procedure Act.

15 Section 2. R.S. 35:191.4(I) is hereby repealed in its entirety.

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

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)]

HB 307 Original

2021 Regular Session

Schamerhorn

Abstract: Repeals the reporting requirement of providers of notary public examination study courses.

Present law (R.S. 35:191) requires certain applicants for notaries public to pass a written examination administered by the secretary of state.

Present law (R.S. 35:191.4) requires providers of notarial courses of instruction for the Louisiana notary public examinations to submit a semiannual report to the secretary of state listing the name and address of each person receiving courses from the provider.

Proposed law (R.S. 35:191.4) repeals present law.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 35:191.4(E), (F), (G), and (H); Repeals R.S. 35:191.4(I))