

2016 Regular Session

HOUSE BILL NO. 456

BY REPRESENTATIVE SHADOIN

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AN ACT

To amend and reenact R.S. 35:15(A)(4) and 16(B) and (C), relative to notaries public; to provide relative to the revocation of notarial commissions; to provide for revocation of a notarial commission under certain circumstances; to provide for notification to the attorney general; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 35:15(A)(4) and 16(B) and (C) are hereby amended and reenacted to read as follows:

§15. Revocation or suspension of notarial commission or authority to exercise notarial powers

A. A notary public who is not an attorney may have his notarial commission and powers revoked or suspended when it is demonstrated, by clear and convincing evidence after a rule to show cause, that the notary has engaged in any of the following:

* * *

(4) ~~Certifying~~ Officially certifying as true what he knew or should have known was false.

* * *

§16. Administrative revocation of notarial commission or authority

* * *

B. If the suspension arises from failure of the notary to be registered as a voter in his parish of commission, the notice of suspension shall give the notary public ten days from the date of receipt to register as a voter in the parish of his commission. If the notary public fails to do so, the secretary of state shall notify the

1 ~~attorney general or the~~ district attorney of the parish in which the notary is
 2 commissioned for the purpose of instituting a rule to show cause to revoke the
 3 commission pursuant to R.S. 35:15.

4 C. If the suspension arises from conviction of a felony, the period of
 5 suspension shall continue until the conviction is final and all appellate review of the
 6 original trial court proceedings has been exhausted. If the conviction is reversed
 7 upon appeal, or if a pardon is issued for the conviction, the suspension shall
 8 terminate and the commission shall be reinstated. When the conviction is final and
 9 all appellate review of the original trial court proceedings is exhausted, and if no
 10 pardon has been issued, the secretary of state shall notify the ~~attorney general or the~~
 11 district attorney of the parish in which the notary is commissioned for the purpose
 12 of instituting a rule to show cause to revoke the commission pursuant to R.S. 35:15.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____