
HOUSE COMMITTEE AMENDMENTS

2020 Regular Session

Amendments proposed by House Committee on Civil Law and Procedure to Original House
Bill No. 274 by Representative Garofalo

1 AMENDMENT NO. 1

2 On page 1, line 2, after "Civil Code Article 3344(A)(introductory paragraph)" and before
3 "and to enact" insert "and R.S. 35:6"

4 AMENDMENT NO. 2

5 On page 2, between lines 2 and 3, insert the following:

6 "Section 3. R.S. 35:6 is hereby amended and reenacted to read as follows:

7 §6. Foreign notaries; acts and other instruments, effect

8 All acts passed before any notary public and two witnesses in the District of
9 Columbia, or any state of the United States other than Louisiana, except those
10 performed by remote online notarization, shall be authentic acts and shall have the
11 same force and effect as if passed before a notary public in Louisiana."

12 AMENDMENT NO. 3

13 On page 2, at the beginning of line 3, change "Section 3." to "Section 4."

14 AMENDMENT NO. 4

15 On page 3, at the end of line 3, change "R.S. 35:625, 626, and 627" to "R.S. 35:625 through
16 627"

17 AMENDMENT NO. 5

18 On page 4, line 1, after "the Louisiana Clerks of Court Association," and before "and the"
19 insert "the Louisiana State Bar Association,"

20 AMENDMENT NO. 6

21 On page 4, delete lines 6 through 17 in their entirety and insert "* * *"

22 AMENDMENT NO. 7

23 On page 6, delete line 17 in its entirety and insert the following:

24 "Section 5. R.S. 35:625 is hereby enacted to read as follows:

25 §625. Notaries authorized to perform remote online notarization

26 A. Any regularly commissioned notary public who holds a valid notarial
27 commission in the state of Louisiana is hereby authorized to perform remote online
28 notarizations.

29 B. The provisions of this Section shall cease to be effective on February 1,
30 2022.

31 Section 6. R.S. 35:625.1 is hereby enacted to read as follows:

32 §625.1. Notaries authorized to perform remote online notarization

1 A. Only a regularly commissioned notary public who holds a valid notarial
2 commission in the state of Louisiana may be authorized by the secretary of state to
3 perform remote online notarization.

4 B. In order to obtain authorization to perform remote online notarization, a
5 notary public shall submit an application to the secretary of state in a format
6 prescribed by the secretary of state, complete any course of instruction required by
7 the secretary of state, and satisfy any other requirements imposed by rules adopted
8 by the secretary of state.

9 C. The authority to perform remote online notarization shall continue as long
10 as the notary public is validly commissioned and the secretary of state has not
11 revoked the notary public's authority to perform remote online notarization.

12 Section 7. This Section and Sections 1, 2, 3, 8, 9, and 10 of this Act shall become
13 effective on August 1, 2020.

14 Section 8.(A) Section 4 of this Act shall become effective upon the later of
15 enactment of the SECURE Notarization Act (H.R. 6364 or S. 3533 of the 116th Congress)
16 or August 1, 2020.

17 (B) If the SECURE Notarization Act is not enacted prior to February 1, 2022,
18 Section 4 of the Act shall become effective on February 1, 2022.

19 Section 9.(A) Section 5 of this Act is contingent upon the enactment of the SECURE
20 Notarization Act (H.R. 6364 or S. 3533 of the 116th Congress).

21 (B) If the SECURE Notarization Act (H.R. 6364 or S. 3533 of the 116th Congress)
22 is enacted, Section 5 of this Act shall become effective upon the later of the enactment of
23 the H.R. 6364 or S. 3533 of the 116th Congress or August 1, 2020.

24 Section 10. Section 6 of this Act shall become effective on February 1, 2022."