

2018 Regular Session

HOUSE BILL NO. 521

BY REPRESENTATIVE HENRY

NOTARIES: Provides relative to ex officio notaries for coroners

1 AN ACT

2 To enact R.S. 35:416, relative to ex officio notaries for coroners; to provide for the
3 qualifications, appointment, and authority of ex officio notaries for coroners; to
4 provide for bond requirements; to provide for limitations and termination of the
5 authority of ex officio notaries; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 35:416 is hereby enacted to read as follows:

8 §416. Ex officio notaries for coroners

9 A. Notwithstanding any provisions of the law relative to qualifications for
10 notaries public, each coroner may designate one deputy or assistant per shift for each
11 office location and appoint them as ex officio notaries public.

12 B.(1) Deputy coroners and assistants so designated may, in the parish in
13 which the coroner serves, administer oaths, take acknowledgments, and attest on
14 affidavits. The authority granted under this Section is limited to acts and instruments
15 to which the coroner, in his official capacity, or the office of the coroner is a party,
16 and other documents concerning any matter in which the coroner in his official
17 capacity, or the office of the coroner has an official interest. For each such action,
18 the ex officio notary shall use the official seal of that respective coroner's office.

19 (2) Deputy coroners and assistants so designated shall fulfill the same bond
20 requirements as provided by law for notaries in the parish which the coroner serves.

1 (3) The coroner shall pay as an expense of his office the costs of the notarial
 2 seal, the notarial bond, and any fees required for filing the bond.

3 C. All acts performed by such an ex officio notary public authorized by this
 4 Section shall be performed without charge or other compensation.

5 D. The coroner may suspend or terminate an appointment made pursuant to
 6 this Section at any time, and separation from the employ of the coroner shall
 7 automatically terminate the powers of such an ex officio notary public.

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 521 Reengrossed

2018 Regular Session

Henry

Abstract: Authorizes coroners to appoint a deputy coroner or an assistant within their respective offices as ex officio notaries public.

Proposed law authorizes each coroner to designate one deputy or assistant per shift for each office location and appoint them as ex officio notaries public.

Proposed law provides that each deputy or assistant so designated may, in the parish which the coroner serves, administer oaths, take acknowledgments, and attest on affidavits, all within the official capacity of the coroner.

Proposed law provides procedures for the use of the official seal, requires the posting of bond, and prohibits compensation for the notarial services.

Proposed law authorizes the coroner to suspend or terminate an appointment, and provides that separation from employment shall automatically terminate the powers of the ex officio notary public.

(Adds R.S. 35:416)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Civil Law and Procedure to the original bill:

1. Authorize the designation of one deputy coroner or assistant as an ex officio notary public.

The House Floor Amendments to the engrossed bill:

1. Specify that deputy coroners and assistants so designated may administer oaths, take acknowledgments, and attest on affidavits, all within the official capacity of the coroner.
2. Specify that deputy coroners and assistants so designated shall fulfill the same bond requirements as notaries public.