

2018 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 86

BY REPRESENTATIVE GAROFALO

NOTARIES: Authorizes and directs the Louisiana State Law Institute to study and make recommendations for legislation to implement notaries public with limited authority

1 A CONCURRENT RESOLUTION

2 To authorize and direct the Louisiana State Law Institute to study and make  
3 recommendations for the enactment of laws for the implementation of notaries public  
4 with limited authority, and to submit a written report of its findings and  
5 recommendations to the legislature.

6 WHEREAS, Louisiana currently has a unique system of laws as compared to other  
7 states relative to the commissioning of notaries public; and

8 WHEREAS, a Louisiana notary public has broad authority which parallels many of  
9 the same areas of authority of an attorney licensed to practice law in this state; and

10 WHEREAS, due to the broad authority provided to Louisiana notaries public,  
11 persons desiring to obtain a notarial commission are required to meet certain specific  
12 qualifications, including passing a very rigorous uniform examination which results in fewer  
13 notaries public available to meet the needs of the public; and

14 WHEREAS, notaries public in every other state have very limited notarial authority,  
15 and their services are more frequently used for the purpose of witnessing the signature of an  
16 affiant; and

17 WHEREAS, because such notaries public in other states have limited notarial  
18 authority, the criteria to become a notary public in those states is less stringent, which allows  
19 for increased availability of notaries public to serve the public; and

20 WHEREAS, having certain notaries public with limited authority in Louisiana with  
21 similar limited authority as those notaries that exist in other states would be beneficial to the

1 citizens and businesses of this state who frequently need a notary of only limited authority  
2 to witness their signature on a document; and

3 WHEREAS, businesses frequently only need the services of a notary public with  
4 limited authority to witness signatures, and a notary regime that allows an existing employee  
5 of that business to become a notary with limited authority would allow that business to be  
6 more efficient and offer its customers better service; and

7 WHEREAS, businesses moving to Louisiana or considering moving to Louisiana  
8 should be provided with a notary environment consistent with the state from which the  
9 business is moving.

10 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby  
11 authorize and direct the Louisiana State Law Institute to study the laws relative to notaries  
12 public in this state and other states with particular focus on the implementation of notaries  
13 public with limited authority, and to submit a written report of its findings, proposed  
14 legislation, and recommendations to the legislature no later than February 1, 2019.

15 BE IT FURTHER RESOLVED that a suitable copy of this Resolution be transmitted  
16 to the director of the Louisiana State Law Institute.

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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)]

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HCR 86 Original

2018 Regular Session

Garofalo

Authorizes and directs the Louisiana State Law Institute to study the laws relative to notaries public in this state and other states with particular focus on the implementation of notaries public with limited authority, and to submit a written report of its findings, proposed legislation, and recommendations to the legislature no later than February 1, 2019.