

Regular Session, 2014

HOUSE BILL NO. 197

BY REPRESENTATIVE ST. GERMAIN

NOTARIES: Provides for ex officio notaries for fire departments or fire protection districts

1 AN ACT

2 To enact R.S. 35:413, relative to ex officio notaries for fire departments and fire protection  
3 districts; to authorize certain persons to appoint ex officio notaries for fire  
4 departments and fire protection districts; to provide for the duties and functions of  
5 the ex officio notary; to provide for limitations and termination of the ex officio  
6 notary; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 35:413 is hereby enacted to read as follows:

9 §413. Ex officio notaries public for municipal or parish fire departments and fire  
10 protection districts

11 A. Notwithstanding any provisions of the law relative to qualifications of  
12 notaries public, any fire chief of a municipal or parish fire department or fire  
13 protection district may designate no more than three employees in his office and  
14 appoint them as ex officio notaries public.

15 B. Each employee so appointed as ex officio notary public may exercise,  
16 within his respective jurisdictional limits, the functions of a notary public only to  
17 administer oaths and execute affidavits and acknowledgments, all limited to matters  
18 within the official functions of the office of the municipal or parish fire department  
19 or fire protection district.

20 C. All acts performed by each ex officio notary public of a municipal or  
21 parish fire department or fire protection district authorized by this Section shall be

1        performed without charge or other compensation and without the necessity of giving  
2        bond.

3                D. The fire chief of the municipal or parish fire department or fire protection  
4        district may suspend or terminate an appointment made in his office pursuant to this  
5        Section at any time, and separation from the employ of the municipal or parish fire  
6        department or fire protection district shall automatically terminate the powers of the  
7        ex officio notary public.

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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)]

St. Germain

HB No. 197

**Abstract:** Authorizes a fire chief of a municipal or parish fire department or fire protection district to designate no more than three employees in his office and appoint them as ex officio notaries public, and provides for the authority and limitations of authority of such ex officio notaries public.

Proposed law authorizes a fire chief of a municipal or parish fire department or fire protection district to designate no more than three employees in his office and appoint them as ex officio notaries public.

Proposed law provides that each employee so appointed as ex officio notary public may exercise, within his respective jurisdictional limits, the functions of a notary public only to administer oaths and execute affidavits and acknowledgments, all limited to matters within the official functions of that office.

Proposed law provides that all acts performed by each such ex officio notary public shall be performed without charge or other compensation and without the necessity of giving bond.

Proposed law provides that the fire chief may suspend or terminate an appointment made in his office at any time, and separation from the employ from that office shall automatically terminate the powers of the ex officio notary public.

(Adds R.S. 35:413)

#### Summary of Amendments Adopted by House

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

1. Limited the number of employees who may be appointed as ex officio notaries.
2. Deleted the authority of an ex officio notary to execute other documents.