

2016 Regular Session

HOUSE BILL NO. 709

BY REPRESENTATIVE HUNTER

NOTARIES: Authorizes the insurance commissioner to appoint employees of the Department of Insurance as ex officio notaries

1 AN ACT

2 To enact R.S. 35:396, relative to ex officio notaries for the Department of Insurance; to  
3 authorize certain persons to appoint ex officio notaries for the Department of  
4 Insurance; to provide for the duties and functions of the ex officio notary; to provide  
5 for limitations and termination of the ex officio notary; and to provide for related  
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 35:396 is hereby enacted to read as follows:

9 §396. Ex officio notaries public for Department of Insurance

10 A. Notwithstanding any provisions of law relative to qualifications for  
11 notaries public, except R. S. 35:391, the commissioner of insurance may appoint not  
12 more than six employees of the Department of Insurance as ex officio notaries  
13 public.

14 B. Such ex officio notaries public may exercise the functions of a notary  
15 public only to administer oaths and receive sworn statements and shall be limited to  
16 matters within the official functions of the Department of Insurance. They shall use  
17 the official seal of the department.

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

1           D. The commissioner of insurance may suspend or terminate any  
 2           appointment made pursuant to this Section at any time, and separation from the  
 3           employ of the Department of Insurance shall terminate the powers of the ex officio  
 4           notary public.

5           Section 2. This Act shall become effective upon signature by the governor or, if  
 6 signed by the governor, upon expiration of the time for bills to become law without signature  
 7 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
 8 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
 9 effective on the day following such approval.

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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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HB 709 Original

2016 Regular Session

Hunter

**Abstract:** Authorizes the commissioner of insurance to appoint up to six employees of the Department of Insurance as ex officio notaries.

Present law provides for the appointment of ex officio notaries public by certain agencies of the state, political subdivisions, and federal government. Proposed law extends that authority to the commissioner of insurance.

Proposed law provides that the commissioner of insurance may appoint not more than six employees of the Dept. of Insurance as ex officio notaries public.

Proposed law provides that these ex officio notaries public may exercise the functions of a notary public only to administer oaths and receive sworn statements and shall be limited to matters within the official functions of the Dept. of Insurance.

Proposed law provides that all acts performed by an ex officio notary public shall be performed without charge or other compensation.

Proposed law provides that the commissioner of insurance may suspend or terminate any ex officio notary appointed pursuant to proposed law, and provides that separation from the employ of the Dept. of Insurance shall terminate the powers of such an ex officio notary public.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R. S. 35:396)