

2016 Regular Session

HOUSE BILL NO. 456

BY REPRESENTATIVE SHADOIN

NOTARIES: Provides with respect to the revocation of notarial commissions

1 AN ACT

2 To amend and reenact R.S. 35:16(B) and (C), relative to notaries public; to provide relative
3 to the revocation of notarial commissions; to provide for notification to the attorney
4 general; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 35:16(B) and (C) are hereby amended and reenacted to read as
7 follows:

8 §16. Administrative revocation of notarial commission or authority

9 * * *

10 B. If the suspension arises from failure of the notary to be registered as a
11 voter in his parish of commission, the notice of suspension shall give the notary
12 public ten days from the date of receipt to register as a voter in the parish of his
13 commission. If the notary public fails to do so, the secretary of state shall notify the
14 attorney general or the district attorney of the parish in which the notary is
15 commissioned for the purpose of instituting a rule to show cause to revoke the
16 commission pursuant to R.S. 35:15.

17 C. If the suspension arises from conviction of a felony, the period of
18 suspension shall continue until the conviction is final and all appellate review of the
19 original trial court proceedings has been exhausted. If the conviction is reversed
20 upon appeal, or if a pardon is issued for the conviction, the suspension shall

1 terminate and the commission shall be reinstated. When the conviction is final and
 2 all appellate review of the original trial court proceedings is exhausted, and if no
 3 pardon has been issued, the secretary of state shall notify the attorney general or the
 4 district attorney of the parish in which the notary is commissioned for the purpose
 5 of instituting a rule to show cause to revoke the commission pursuant to R.S. 35:15.

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 456 Engrossed

2016 Regular Session

Shadoin

Abstract: Requires that notice of the proceedings to revoke the commission of a notary public be given to the attorney general.

Present law provides for revocation of the notarial commission of a notary for failure to register as a voter in the parish of his commission and for the conviction of a felony and provides for notice to the district attorney for purposes of the revocation proceedings.

Proposed law retains present law and requires that notice of the revocation proceedings also be given to the attorney general.

(Amends R.S. 35:16(B) and (C))