
DIGEST

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HB 456 Reengrossed

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 that a notary public who is not an attorney may have his notarial commission and powers revoked or suspended when it is demonstrated that the notary has engaged in any of the following:

- (1) Dishonesty, fraud, deceit, or misrepresentation.
- (2) A felony for which he has been convicted and no pardon has been issued.
- (3) Gross misconduct or malfeasance in the exercise of his notarial powers.
- (4) Certifying as true what he knew or should have known was false.
- (5) Violation of any provision of this Title, or any other law governing the office of notary public or the exercise of any notarial power or duty.
- (6) Ceasing to possess any qualification required for holding his commission as a notary public.
- (7) Abandonment of his commission.

Proposed law retains present law and specifies that the notary has "officially" certified as true what he knew or should have known was false in order to have his notarial commission and powers revoked or suspended.

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. 35:15(A)(4) and 16(B) and (C))

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Adds provision specifying that the notary is "officially" certifying as true what he knew or should have known was false.

