

ACT No. 2011 - 295

1 SB54
2 126131-2
3 By Senators Irons and Orr
4 RFD: Judiciary
5 First Read: 01-MAR-11
6 PFD: 02/28/2011



1 SB54

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4 ENROLLED, An Act,

5 Relating to notaries public; to add Article 4,
6 commencing with Section 36-20-70, to Chapter 20, Title 36,
7 Code of Alabama 1975, to eliminate the distinction between
8 county and at-large notaries public; to preserve the
9 functions, powers, and commissions of existing notaries
10 public; to repeal Article 1, commencing with Section 36-20-1,
11 Chapter 20, Title 36, Code of Alabama 1975, relating to the
12 employment of notaries public by counties, and Article 2,
13 commencing with Section 36-20-30, Chapter 20, Title 36, Code
14 of Alabama 1975, relating to the employment of notaries public
15 for the state at large; and in connection therewith to have as
16 its purpose or effect the requirement of a new or increased
17 expenditure of local funds within the meaning of Amendment 621
18 of the Constitution of Alabama of 1901, now appearing as
19 Section 111.05 of the Official Recompilation of the
20 Constitution of Alabama of 1901, as amended.

21 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

22 Section 1. Article 4, commencing with Section
23 36-20-70, is added to Chapter 20 of Title 36 of the Code of
24 Alabama 1975, to read as follows:

25 §36-20-70.

1 (a) A competent number of notaries public for the
2 state at large shall be appointed and commissioned by the
3 judges of probate of the several counties of the state and
4 shall hold office for four years from the date of their
5 commission. Such notaries public shall perform all the acts
6 and exercise all authority under the general laws of the State
7 of Alabama. The jurisdiction of such notaries public shall not
8 be limited to the counties of their residence and shall extend
9 to any county of the state. The judges of probate shall
10 collect a fee of ten dollars (\$10) for each notary commission
11 issued. The judges of probate shall also report to the
12 Secretary of State the name, county of residence, date of
13 issuance, and date of expiration of the commission of each
14 notary public appointed and commissioned under this
15 subsection.

16 (b) All existing notaries public functioning on the
17 effective date of this article shall continue to function
18 pursuant to their existing authority for the remainder of
19 their existing commission.

20 §36-20-71.

21 (a) Notaries public shall give bond with sureties,
22 to be approved by the judge of probate of the county of their
23 residence, in the sum of twenty-five thousand dollars
24 (\$25,000), payable to the State of Alabama and conditioned to
25 faithfully discharge the duties of such office so long as they