

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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SENATE BILL 344

Short Title: Notary Law Amendments/AB.

(Public)

Sponsors: Senator Kerr.

Referred to: Judiciary II/Election Laws

March 9, 1995

A BILL TO BE ENTITLED

1 AN ACT TO ESTABLISH THE REQUIREMENTS FOR CERTIFICATION TO
2 TEACH NOTARY COURSES, TO ALLOW REVOCATION OF NOTARIAL
3 COMMISSIONS FOR NOTARIES WHO FAIL TO ADMINISTER OATHS OR
4 AFFIRMATIONS, AND TO PROVIDE THAT APPLICANTS FOR
5 RECOMMISSIONING NEED NOT OBTAIN THE RECOMMENDATION OF A
6 PUBLICLY ELECTED OFFICIAL.
7

8 The General Assembly of North Carolina enacts:

9 Section 1. G.S. 10A-4 is amended by adding two new subsections to read:

10 "(d) The course of study required by subsection (b) of this section shall be taught by
11 an instructor certified in accordance with rules adopted by the Secretary of State. An
12 instructor must meet the following requirements to be certified to teach a course of study
13 for notaries public:

14 (1) Complete a six-hour instructor's course taught by the notaries public
15 director or other person approved by the Secretary of State and pass the
16 course with a grade of not less than '80'.

17 (2) Have six months of active experience as a notary public.

18 (3) Maintain a current commission as a notary public.

19 (4) Purchase the current notary public guidebook.

1 Registers of deeds, assistant and deputy registers of deeds, clerks of court, and assistant
2 and deputy clerks of court are exempt from the requirements set forth in subdivisions (2)
3 and (3) of this subsection while they remain actively employed in the capacities named.

4 (e) Certification to teach a course of study shall be effective for two years and may
5 be renewed by passing a recertification course taught by the notaries public director or
6 other person approved by the Secretary of State."

7 Sec. 2. G.S. 10A-6 reads as rewritten:

8 **"§ 10A-6. Recommissioning.**

9 An applicant for recommissioning as a notary shall submit a new application and
10 comply anew with the provisions of G.S. 10A-4, except ~~for~~ that the applicant shall not be
11 required to complete the course of study described in subdivision (b)(3)-(b)(3) nor to
12 obtain the recommendation of a publicly elected official."

13 Sec. 3. G.S. 10A-13(d) reads as rewritten:

14 "(d) The Secretary of State may revoke a notarial commission on any ground for
15 which an application for a commission may be denied under G.S. 10A-4(c). The
16 Secretary of State may revoke the commission of a notary who fails to administer an oath
17 or affirmation when performing a notarial act that requires the administering of an oath or
18 affirmation."

19 Sec. 4. This act becomes effective July 1, 1995, and applies to applications for
20 recommission on or after that date.