

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

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SENATE BILL 1258

Short Title: Repeal Notary Renewal Requirements. (Public)

Sponsors: Senator Hoyle.

Referred to: Rules and Operations of the Senate.

May 11, 2006

A BILL TO BE ENTITLED
AN ACT TO REPEAL THE REQUIREMENTS THAT NOTARIES APPLYING FOR
RECOMMISSIONING PASS A WRITTEN EXAMINATION AND TAKE A
COURSE OF CLASSROOM INSTRUCTION.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 10B-8 reads as rewritten:

"§ 10B-8. Course of study and examination.

(a) Every applicant for an initial notary commission shall, within the three months preceding application, take a course of classroom instruction of not less than six hours approved by the Secretary and take a written examination approved by the Secretary. An applicant must answer at least eighty percent (80%) of the questions correctly in order to pass the exam. This subsection shall not apply to a licensed member of the North Carolina State Bar.

~~(b) Every applicant for recommissioning shall pass a written examination approved by and administered by or under the direction of the Secretary, unless the person is a licensed member of the North Carolina State Bar.~~

(c) The content of the course of instruction and the written examinations shall be notarial laws, procedures, and ethics.

(d) The Secretary may charge such fees as are reasonably necessary to pay the cost associated with developing and administering examinations permitted by this Chapter and for conducting the training of notaries and notary instructors."

SECTION 2. G.S. 10B-11 reads as rewritten:

"§ 10B-11. Recommissioning.

(a) A commissioned notary may apply for recommissioning no earlier than 10 weeks prior to the expiration date of the notary's commission.

(b) A notary whose commission has not expired must comply with the following requirements to be recommissioned:

(1) Submit a new application under G.S. 10B-6.

(2) Meet the requirements of G.S. 10B-5(b).

1 ~~(3) Pass the written examination required under G.S. 10B-8, unless the~~
2 ~~notary is a licensed member of the North Carolina State Bar.~~

3 (c) An individual may apply for recommissioning within one year after the
4 expiration of the individual's commission. The individual must comply with the
5 requirement of subsection (b) of this section. ~~The individual must also fulfill the~~
6 ~~educational requirement under G.S. 10B-8(a), unless the Secretary waives that~~
7 ~~requirement."~~

8 **SECTION 3.** This act is effective when it becomes law.