

ASSEMBLY BILL NO. 533—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE SECRETARY OF STATE)

MARCH 26, 2007

Referred to Committee on Government Affairs

SUMMARY—Revises provisions governing notaries public.
(BDR 19-543)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to notaries public; revising provisions governing the notarization of the signature of a person unknown to the notary public; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Under existing law, a notary public is guilty of a gross misdemeanor if he
2 notarizes the signature of a person in his presence who is unknown to him unless
3 the person provides documentary evidence of his identity. (NRS 240.155) Existing
4 law also provides that a notarial officer has satisfactory evidence that a person is
5 the person whose signature is on a document if, in pertinent part, the person is
6 identified upon the oath and affirmation of a credible witness. (NRS 240.1655) A
7 credible witness is a person who is known personally to the signer of the document
8 and the notarial officer. (NRS 240.0025) This bill resolves the conflict between
9 those provisions by providing an additional exception to the criminal penalty which
10 allows a notary public to notarize the signature of a person unknown to him who
11 provides a credible witness.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 240.155 is hereby amended to read as follows:
2 240.155 1. A notary public who is appointed pursuant to this
3 chapter shall not willfully notarize the signature of a person unless
4 the person is in the presence of the notary public and:
5 (a) Is known to the notary public; or



- 1 (b) If unknown to the notary public, provides *a credible witness*
- 2 *or* documentary evidence of identification to the notary public.
- 3 2. A person who:
- 4 (a) Violates the provisions of subsection 1; or
- 5 (b) Aids and abets a notary public to commit a violation of
- 6 subsection 1,
- 7 ➤ is guilty of a gross misdemeanor.

