

By Senator Soto

14-00024-14

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1                   A bill to be entitled  
2       An act relating to notaries public; creating s.  
3       117.055, F.S.; requiring a notary public to record  
4       certain information about each notarial act in a  
5       journal; requiring that a notary public retain a  
6       notarial journal for a specified period; requiring a  
7       notary public to notify the Department of State if a  
8       notarial journal is lost or destroyed during the  
9       retention period; providing that failure to comply  
10      with the notarial journal requirement constitutes  
11      grounds for suspension, nonrenewal, or denial of a  
12      notary public commission; authorizing the department  
13      to adopt rules and forms; providing an effective date.

14  
15 Be It Enacted by the Legislature of the State of Florida:

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17       Section 1. Section 117.055, Florida Statutes, is created to  
18 read:

19       117.055 Required use of notarial journal.-

20       (1) A notary public shall record the following information  
21 regarding each notarial act in a sequential paper or electronic  
22 journal at the time of such act:

23       (a) The date and time of the notarial act.

24       (b) The type of notarial act.

25       (c) The type, title, name, or description of the document,  
26 proceeding, or transaction requiring the notarial act.

27       (d) The signer's printed name and signature.

28       (e) The signer's complete address.

29       (f) An indication that the signer is personally known to

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30 the notary public or that the signer presented a specific form  
31 of identification pursuant to s. 117.05(5)(b)2. The notary must  
32 record the type, unique identification number, and expiration  
33 date of any identification presented.

34 (2) A notary public must retain a notarial journal for at  
35 least 5 years following the date of the last entry in the  
36 notarial journal. If a notarial journal is lost, stolen,  
37 misplaced, destroyed, or rendered unusable during the retention  
38 period, the notary public must immediately notify the Department  
39 of State in writing of the circumstances of the incident.

40 (3) Failure of a notary public to comply with this section  
41 constitutes grounds for suspension or nonrenewal of the  
42 commission of the notary public and grounds for the denial of  
43 any subsequent commission by the Executive Office of the  
44 Governor.

45 (4) The Department of State may adopt rules and forms to  
46 administer this section.

47 Section 2. This act shall take effect July 1, 2014.