

A bill to be entitled

An act relating to notaries public; creating s. 117.055, F.S.; requiring a notary public to record certain information in a specified journal when performing certain notarial acts; requiring that a notary public retain a notarial journal for a specified period; requiring a notary public to notify the Department of State if a notarial journal is lost, stolen, misplaced, destroyed, or rendered unusable during the retention period; requiring a notary public to keep a notarial journal in a specified area; providing that failure to comply with the notarial journal requirements constitutes grounds for suspension, nonrenewal, or denial of a notary public commission; providing an effective date.

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

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

117.055 Notarial journal.-

(1) When performing a notarial act that requires notarizing a signature, a notary public shall record the following information in a bound sequential paper or an electronic journal:

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

27 (b) The type of notarial act.

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

30 (d) The signer's printed name and signature, or in the
 31 case of an electronic journal, the signer's name and electronic
 32 signature pursuant to s. 668.50(2)(h).

33 (e) The signer's complete residence address.

34 (f) Whether the signer is personally known to the notary
 35 public or presented satisfactory evidence pursuant to s.
 36 117.05(5)(b). The notary shall record the type, last 4 digits of
 37 the unique identification number, and expiration date of the
 38 identification presented.

39 (g) The names of witnesses to the notarial act.

40 (2) A notary public must retain a notarial journal for at
 41 least 5 years after the date of the last recorded notarial act
 42 in the notarial journal. If a notarial journal is lost, stolen,
 43 misplaced, destroyed, or rendered unusable during the retention
 44 period, the notary public must immediately notify the Department
 45 of State in writing of the circumstances of the incident.

46 (3) The notarial journal is the exclusive property of the
 47 notary public and shall be kept in a locked and secure area,
 48 under the direct and exclusive control of the notary public.

49 (4) Failure of a notary public to comply with this section
 50 constitutes grounds for suspension or nonrenewal of the notary
 51 public's commission and grounds for the denial of a subsequent
 52 commission by the Governor.

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