

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 60th Legislature (2025)

4 HOUSE BILL 1578

By: Lawson, Roberts, and
Wolfley of the House

5
6 and

7 Hines of the Senate

8
9 AS INTRODUCED

10 An Act relating to notaries public; amending 49 O.S.
11 2021, Section 113, as amended by Section 2, Chapter
12 226, O.S.L. 2024 (49 O.S. Supp. 2024, Section 113),
13 which relates to acknowledgment, verification,
14 witnessing, and certifying of notarial officer;
15 modifying penalty; and providing an effective date.

16 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

17 SECTION 1. AMENDATORY 49 O.S. 2021, Section 113,
18 as amended by Section 2, Chapter 226, O.S.L. 2024 (49 O.S.
19 Supp. 2024, Section 113), is amended to read as follows:

20 Section 113. A. In taking an acknowledgment, the
21 notarial officer must determine, either from personal
22 knowledge or from satisfactory evidence, that the person
23 appearing before the officer and making the acknowledgment is
24 the person whose true signature is on the instrument.

1 B. In taking a verification upon oath or affirmation, the
2 notarial officer must determine, either from personal knowledge or
3 from satisfactory evidence, that the person appearing before the
4 officer and making the verification is the person whose true
5 signature is on the statement verified.

6 C. In witnessing or attesting a signature the notarial officer
7 must determine, either from personal knowledge or from satisfactory
8 evidence, that the signature is that of the person appearing before
9 the officer and named therein.

10 D. In certifying or attesting a copy of a document or other
11 item, the notarial officer must determine that the proffered copy is
12 a full, true, and accurate transcription or reproduction of that
13 which was copied. In the case of official records, only the
14 custodian of the official records may issue an official certified
15 copy.

16 E. In making or noting a protest of a negotiable instrument the
17 notarial officer must determine the matters set forth in Section 3-
18 509 of the Uniform Commercial Code.

19 F. A notarial officer has satisfactory evidence that a person
20 is the person whose true signature is on a document if that person
21 is personally known to the notarial officer, is identified upon the
22 oath or affirmation of a credible witness personally known to the
23 notarial officer or is identified on the basis of identification
24 documents.

1 G. A notarial officer who performs a notarial act pursuant to
2 this section without first making in good faith the required
3 determination of the identity of the person appearing before the
4 notary shall be guilty of a ~~misdemeanor~~ felony and upon conviction
5 be subject to a fine not to exceed ~~One Thousand Dollars (\$1,000.00)~~
6 Five Thousand Dollars (\$5,000.00), to imprisonment in the county
7 jail not to exceed ~~ten (10)~~ thirty (30) days, or both such fine and
8 imprisonment.

9 SECTION 2. This act shall become effective November 1, 2025.

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11 COMMITTEE REPORT BY: COMMITTEE ON GOVERNMENT OVERSIGHT, dated
12 02/27/2025 - DO PASS.

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