

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

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

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2265

By: Miller of the House

and

Alvord of the Senate

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10 COMMITTEE SUBSTITUTE

11 An Act relating to notaries public; amending 49 O.S.
12 2021, Section 1, which relates to appointment of
13 notaries public; adding examination requirement;
14 updating outline; requiring examination to become a
15 notary public; providing course of study; requiring
16 maintenance of certain journal; prescribing journal
17 criteria; requiring certain notice; requiring
18 retention of journal; providing for transmitting
19 journal to Secretary of State; providing for
20 codification; and providing an effective date.

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

22 SECTION 1. AMENDATORY 49 O.S. 2021, Section 1, is
23 amended to read as follows:

24 Section 1. A. The Secretary of State shall appoint and
 commission in this state notaries public, who shall hold their
 office for four (4) years.

1 B. An applicant for a new notary commission shall be eighteen
2 (18) years of age or older, a citizen of the United States, ~~and~~
3 employed within this state or a legal resident of this state, and
4 shall have passed the examination required in Section 2 of this act.

5 A felony conviction shall be grounds for removal of a person from
6 the office of notary public.

7 C. All notary commissions shall run in the name and by the
8 authority of the State of Oklahoma, be signed by the Secretary of
9 State, and sealed with the Great Seal of the State of Oklahoma.
10 Commissions shall not be attested.

11 D. Any person filing an application for a new notary commission
12 shall pay Twenty-five Dollars (\$25.00) to the Secretary of State
13 with the application. Any person filing an application for a
14 renewal of a notary commission shall pay Twenty Dollars (\$20.00) to
15 the Secretary of State with the application. Any person requiring
16 "same day filing service" shall pay Twenty-five Dollars (\$25.00) to
17 the Secretary of State in addition to the applicable filing fee.
18 These funds shall be deposited in the Revolving Fund created for the
19 Secretary of State pursuant to the provisions of Section 276.1 of
20 Title 62 of the Oklahoma Statutes.

21 SECTION 2. NEW LAW A new section of law to be codified
22 in the Oklahoma Statutes as Section 1.2 of Title 49, unless there is
23 created a duplication in numbering, reads as follows:

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1 A. An applicant for a new notary commission must pass an
2 examination administered by the Office of the Oklahoma Secretary of
3 State or an entity approved by the Secretary of State. The
4 examination must be based on the course of study described in
5 subsection B of this section.

6 B. The Secretary of State or an entity approved by the
7 Secretary of State shall offer regularly a course of study to
8 applicants who do not hold a notary commission in this state. The
9 course must cover the laws, rules, procedures, and ethics relevant
10 to notarial acts.

11 SECTION 3. NEW LAW A new section of law to be codified
12 in the Oklahoma Statutes as Section 13 of Title 49, unless there is
13 created a duplication in numbering, reads as follows:

14 A. Except for the notarial acts performed for an established
15 business relationship during the ordinary course of business, a
16 notary public shall maintain a journal in which the notary public
17 records all notarial acts that the notary public performs. The
18 notary public shall retain the journal for ten (10) years after the
19 performance of the last notarial act recorded in the journal.

20 B. A journal may be created on a tangible medium or in an
21 electronic format. A notary public shall maintain only one journal
22 at a time to chronicle all notarial acts, whether those notarial
23 acts are performed regarding tangible or electronic records. If the
24 journal is maintained on a tangible medium, it must be a permanent,

1 bound register with numbered pages. If the journal is maintained in
2 an electronic format, it must be in a permanent, tamper-evident
3 electronic format complying with the rules of the Secretary of
4 State.

5 C. An entry in a journal must be made contemporaneously with
6 performance of the notarial act and contain the following
7 information:

8 1. The date and time of the notarial act;

9 2. A description of the record, if any, and type of notarial
10 act;

11 3. The full name and address of each individual for whom the
12 notarial act is performed;

13 4. If identity of the individual is based on personal
14 knowledge, a statement to that effect;

15 5. If identity of the individual is based on satisfactory
16 evidence, a brief description of the method of identification and
17 the identification credential presented, if any, including the date
18 of issuance and expiration of any identification credential; and

19 6. The fee, if any, charged by the notary public.

20 D. If a notary public's journal is lost or stolen, the notary
21 public shall promptly notify the Office of the Oklahoma Secretary of
22 State on discovering that the journal is lost or stolen.

23 E. On resignation from, or the revocation or suspension of, a
24 notary public's commission, the notary public shall retain the

1 notary public's journal in accordance with subsection A of this
2 section and inform the Office of the Secretary of State where the
3 journal is located.

4 F. Instead of retaining a journal as provided in subsections A
5 and E of this section, a current or former notary public may
6 transmit the journal to the Office of the Secretary of State or a
7 repository approved by the Secretary of State.

8 G. On the death or adjudication of incompetency of a current or
9 former notary public, the notary public's personal representative or
10 guardian or any other person knowingly in possession of the journal
11 shall transmit it to the Office of the Secretary of State or a
12 repository approved by the Secretary of State.

13 SECTION 4. This act shall become effective November 1, 2025.

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15 COMMITTEE REPORT BY: COMMITTEE ON GOVERNMENT OVERSIGHT, dated
16 03/03/2025 - DO PASS, As Amended.

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