

1 **SENATE FLOOR VERSION**

2 February 11, 2025

3 **AS AMENDED**

4 SENATE BILL NO. 1028

5 By: Alvord of the Senate

6 and

7 Miller of the House

8 An Act relating to notaries public; amending 49 O.S.
9 2021, Sections 1 and 2, which relate to appointment
10 and oath, signature, bond, and seal; requiring
11 certain national criminal history record check;
12 increasing certain fees for commission; and providing
13 an effective date.

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

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

17 Section 1. The Secretary of State shall appoint and commission
18 in this state notaries public, who shall hold their office for four
19 (4) years. An applicant for a notary commission shall be eighteen
20 (18) years of age or older, a citizen of the United States, and
21 employed within this state or a legal resident of this state. A
22 national criminal history record check, as defined in Section 150.9
23 of Title 74 of the Oklahoma Statutes, shall be conducted of any
24 applicant for a notary commission, including any applicant for
renewal. The Oklahoma State Bureau of Investigation (OSBI) shall

1 obtain fingerprints of the applicant and require that the person pay
2 a search fee not to exceed Fifty Dollars (\$50.00) or the cost of the
3 search, whichever is the lesser amount. The fees shall be deposited
4 in the OSBI Revolving Fund. The Oklahoma State Bureau of
5 Investigation shall provide the national criminal history record
6 check to the Secretary of State within fourteen (14) working days
7 from the receipt of the request. OSBI may contact the Federal
8 Bureau of Investigation to obtain the information requested. A
9 felony conviction shall be grounds for removal of a person from the
10 office of notary public **and shall preclude a person from further**
11 **applying for or renewing a notary commission.** All notary
12 commissions shall run in the name and by the authority of the State
13 of Oklahoma, be signed by the Secretary of State, and sealed with
14 the Great Seal of the State of Oklahoma. Commissions shall not be
15 attested. Any person filing an application for a new notary
16 commission shall pay ~~Twenty-five Dollars (\$25.00)~~ Fifty Dollars
17 (\$50.00) to the Secretary of State with the application. Any person
18 filing an application for a renewal of a notary commission shall pay
19 ~~Twenty Dollars (\$20.00)~~ Forty-five Dollars (\$45.00) to the Secretary
20 of State with the application. Any person requiring "same day
21 filing service" shall pay ~~Twenty-five Dollars (\$25.00)~~ Fifty Dollars
22 (\$50.00) to the Secretary of State in addition to the applicable
23 filing fee. These funds shall be deposited in the Revolving Fund
24

1 created for the Secretary of State pursuant to the provisions of
2 Section 276.1 of Title 62 of the Oklahoma Statutes.

3 SECTION 2. AMENDATORY 49 O.S. 2021, Section 2, is
4 amended to read as follows:

5 Section 2. A. Before entering upon the duties of his or her
6 office and not more than sixty (60) days after issuance of a notary
7 commission, every notary public so appointed and commissioned shall
8 file in the office of the Secretary of State, the notary's oath of
9 office, the notary's loyalty oath, the notary's official signature,
10 an impression of the notary's official seal, and a good and
11 sufficient bond to the State of Oklahoma, in the sum of One Thousand
12 Dollars (\$1,000.00), to be approved by the Secretary of State,
13 conditioned for the faithful performance of the duties of the
14 notary's office.

15 B. The bond required by subsection A of this section shall be
16 signed by:

- 17 1. An insurance agent licensed by the State of Oklahoma;
- 18 2. An attorney-in-fact on behalf of an insurance company with a
19 power of attorney attached; or
- 20 3. One or more individual sureties who are property owners in
21 the county of residence of the notary, or if a nonresident, the
22 county of employment of the notary.

23 C. The bond required by subsection A of this section shall be
24 issued for a term that commences on the bond's effective date and

1 terminates on the commission's expiration date. Upon the filing of
2 his or her bond with the Secretary of State, every notary public
3 shall pay to the Secretary of State the sum of ~~Ten Dollars (\$10.00)~~
4 Twenty-five Dollars (\$25.00) to be deposited to the credit of the
5 Revolving Fund for the Office of the Secretary of State.

6 D. A notary public shall not perform any notarial act until his
7 or her bond, official seal, oath of office and loyalty oath, as
8 required by subsection A of this section, has been received and
9 approved by the Secretary of State.

10 SECTION 3. This act shall become effective November 1, 2025.

11 COMMITTEE REPORT BY: COMMITTEE ON RETIREMENT AND GOVERNMENT
12 RESOURCES
13 February 11, 2025 - DO PASS AS AMENDED
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