

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

SENATE BILL 1028

By: Alvord

AS INTRODUCED

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

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

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

Section 1. The Secretary of State shall appoint and commission in this state notaries public, who shall hold their office for four (4) years. An applicant for a notary commission shall be eighteen (18) years of age or older, a citizen of the United States, and employed within this state or a legal resident of this state. A national criminal history record check, as defined in Section 150.9 of Title 74 of the Oklahoma Statutes, shall be conducted of any applicant for a notary commission. The Oklahoma State Bureau of Investigation (OSBI) shall obtain fingerprints of the applicant and require that the person pay a search fee not to exceed Fifty Dollars

1 (\$50.00) or the cost of the search, whichever is the lesser amount.

2 The fees shall be deposited in the OSBI Revolving Fund. The

3 Oklahoma State Bureau of Investigation shall provide the national

4 criminal history record check to the Secretary of State within

5 fourteen (14) working days from the receipt of the request. OSBI

6 may contact the Federal Bureau of Investigation to obtain the

7 information requested. A felony conviction shall be grounds for

8 removal of a person from the office of notary public. All notary

9 commissions shall run in the name and by the authority of the State

10 of Oklahoma, be signed by the Secretary of State, and sealed with

11 the Great Seal of the State of Oklahoma. Commissions shall not be

12 attested. Any person filing an application for a new notary

13 commission shall pay ~~Twenty-five Dollars (\$25.00)~~ Fifty Dollars

14 (\$50.00) to the Secretary of State with the application. Any person

15 filing an application for a renewal of a notary commission shall pay

16 ~~Twenty Dollars (\$20.00)~~ Forty-five Dollars (\$45.00) to the Secretary

17 of State with the application. Any person requiring "same day

18 filing service" shall pay ~~Twenty-five Dollars (\$25.00)~~ Fifty Dollars

19 (\$50.00) to the Secretary of State in addition to the applicable

20 filing fee. These funds shall be deposited in the Revolving Fund

21 created for the Secretary of State pursuant to the provisions of

22 Section 276.1 of Title 62 of the Oklahoma Statutes.

23 SECTION 2. AMENDATORY 49 O.S. 2021, Section 2, is

24 amended to read as follows:

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

11 B. The bond required by subsection A of this section shall be
12 signed by:

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

19 C. The bond required by subsection A of this section shall be
20 issued for a term that commences on the bond's effective date and
21 terminates on the commission's expiration date. Upon the filing of
22 his or her bond with the Secretary of State, every notary public
23 shall pay to the Secretary of State the sum of ~~Ten Dollars (\$10.00)~~
24

1 Twenty-five Dollars (\$25.00) to be deposited to the credit of the
2 Revolving Fund for the Office of the Secretary of State.

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

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

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