

By Senator Fasano

11-930A-06

1 A bill to be entitled

2 An act relating to notaries public; amending s.

3 117.05, F.S.; authorizing a notary public to

4 charge a fee for each signature notarized;

5 requiring that a notary public provide services

6 without charge to a military veteran or a

7 firefighter or law enforcement officer who is

8 applying for certain benefits; creating s.

9 117.071, F.S.; requiring that a notary public

10 record each notarial act in a journal;

11 specifying the information to be recorded;

12 requiring that a journal be retained for a

13 specified period; requiring that a notary

14 public notify the Executive Office of the

15 Governor if the journal is stolen, lost, or

16 destroyed; providing that failure to comply

17 with the requirements for keeping a journal

18 constitutes grounds for suspension or

19 nonrenewal of a notary public's commission;

20 providing an effective date.

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

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24 Section 1. Subsection (2) of section 117.05, Florida

25 Statutes, is amended to read:

26 117.05 Use of notary commission; unlawful use; notary

27 fee; seal; duties; employer liability; name change;

28 advertising; photocopies; penalties.--

29 (2)(a) The fee of a notary public may not exceed \$10

30 per signature notarized for any one notarial act, except as

31 provided in s. 117.045.

1 (b) A notary public may not charge a fee for:
2 1. Witnessing an absentee ballot in an election, and
3 must witness such a ballot upon the request of an elector,
4 provided the notarial act is in accordance with the provisions
5 of this chapter.

6 2. Any notarial act performed for a veteran of the
7 United States military or for a firefighter or law enforcement
8 officer who is applying for a pension, an allotment, an
9 allowance, compensation, an insurance policy, or other benefit
10 resulting from public service.

11 Section 2. Section 117.071, Florida Statutes, is
12 created to read:

13 117.071 Use of journal for notarial acts.--

14 (1) A notary public shall record sequentially each
15 notarial act in a journal as provided in this section.

16 (a) For each notarial act, the notary public shall
17 record in the journal at the time of the notarization:

18 1. The date and time of the notarial act.

19 2. The type of notarial act.

20 3. The title or name of the document or transaction.

21 4. The signer's printed name and signature.

22 5. The signer's complete address and telephone number.

23 6. The specific type of identification presented by
24 the signer.

25 (b) The notary public must retain the journal for at
26 least 5 years following the date of the last entry.

27 (c) If the journal of a notary public is stolen, lost,
28 misplaced, destroyed, or rendered unusable within the period
29 specified in paragraph (b), the notary public must immediately
30 notify the Executive Office of the Governor in writing of the
31 circumstances of the incident.

1 (2) Failure of a notary public to comply with this
2 section constitutes grounds for suspension or nonrenewal of
3 the commission of the notary public by the Executive Office of
4 the Governor.

5 Section 3. This act shall take effect January 1, 2007.

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8 SENATE SUMMARY

9 Provides for a notary public to charge a fee for each
10 signature notarized. Requires a notary public to provide
11 services free of charge to a military veteran or
12 firefighter or law enforcement officer who is applying
13 for certain benefits. Requires that a notary public
14 record each notarial act in a journal that is retained
15 for 5 years. Requires that a notary public notify the
16 Executive Office of the Governor if the journal is
17 stolen, lost, or destroyed. Provides that failure to
18 comply with the requirements for keeping a journal
19 constitutes grounds for suspending or not renewing a
20 notary public's commission.