



547324

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/10/2014	.	
	.	
	.	
	.	

The Committee on Commerce and Tourism (Abruzzo) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 117.055, Florida Statutes, is created to
read:

117.055 Notarial journal.-

(1) When performing a notarial act that requires notarizing
a signature, a notary public shall record the following
information in a bound sequential paper journal or an electronic



547324

11 journal that creates sequential and nonmodifiable records:
12 (a) The date and time of the notarial act.
13 (b) The type of notarial act.
14 (c) The type, title, name, or description of the document,
15 proceeding, or transaction requiring the notarial act.
16 (d) The signer's printed name and signature or, in the case
17 of an electronic journal, the signer's name and electronic
18 signature pursuant to s. 668.50(2)(h).
19 (e) The signer's complete residence address.
20 (f) Whether the signer is personally known to the notary
21 public or presented satisfactory evidence of his or her identity
22 pursuant to s. 117.05(5)(b). The notary shall record the type,
23 last 4 digits of the unique identification number, and
24 expiration date of the identification presented.
25 (g) The names of witnesses to the notarial act, if any.
26 (2) A notary public must retain a notarial journal for at
27 least 5 years after the date of the last recorded notarial act
28 in the notarial journal. If a notarial journal is lost, stolen,
29 misplaced, destroyed, erased, compromised, rendered unusable, or
30 becomes otherwise inaccessible during the retention period, the
31 notary public must immediately notify the Department of State in
32 writing of the circumstances of the incident.
33 (3) The notarial journal is the exclusive property of the
34 notary public and must be kept in a locked and secure area,
35 under the direct and exclusive control of the notary public.
36 Access to an electronic notarial journal must be protected by a
37 password or other secure means of authentication.
38 (4) Failure of a notary public to comply with this section
39 constitutes grounds for suspension or nonrenewal of the notary



547324

40 public's commission and grounds for the denial of a subsequent
41 commission by the Governor.

42 Section 2. Section 117.10, Florida Statutes, is amended to
43 read:

44 117.10 Law enforcement and correctional officers.—Law
45 enforcement officers, correctional officers, and correctional
46 probation officers, as defined in s. 943.10, and traffic
47 accident investigation officers and traffic infraction
48 enforcement officers, as described in s. 316.640, are authorized
49 to administer oaths when engaged in the performance of official
50 duties. Sections 117.01, 117.04, 117.045, 117.05, 117.055, and
51 117.103 do not apply to the provisions of this section. An
52 officer may not notarize his or her own signature.

53 Section 3. This act shall take effect July 1, 2014.

54

55 ===== T I T L E A M E N D M E N T =====

56 And the title is amended as follows:

57 Delete everything before the enacting clause
58 and insert:

59 A bill to be entitled
60 An act relating to notaries public; creating s.
61 117.055, F.S.; requiring a notary public to record
62 specified information in a notarial journal when
63 performing certain notarial acts; requiring that a
64 notary public retain a notarial journal for a
65 specified period; requiring a notary public to notify
66 the Department of State if the notarial journal is
67 lost, stolen, misplaced, destroyed, erased,
68 compromised, rendered unusable, or becomes otherwise



547324

69 inaccessible during the retention period; providing
70 that a notarial journal is the exclusive property of a
71 notary public; requiring a notary public to secure the
72 journal; providing that failure to comply with the
73 notarial journal requirements constitutes grounds for
74 suspension, nonrenewal, or denial of a notary public
75 commission; amending s. 117.10, F.S.; exempting
76 certain acts of specified law enforcement and
77 correctional officers from the notarial journal
78 requirements; providing an effective date.