

1 A bill to be entitled
 2 An act relating to notaries public; amending s.
 3 92.525, F.S.; revising the methods available for
 4 verifying documents; amending s. 117.05, F.S.;
 5 providing an exception to the requirement that a
 6 signer personally appear before a notary public at the
 7 time of notarization; amending s. 117.10, F.S.;
 8 defining the term "reliable electronic means";
 9 authorizing specified officers to administer oaths by
 10 reliable electronic means when engaged in the
 11 performance of official duties; providing an effective
 12 date.

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

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 16 Section 1. Subsection (1) of section 92.525, Florida
 17 Statutes, is amended to read:

18 92.525 Verification of documents; perjury by false written
 19 declaration, penalty.—

20 (1) If ~~When it is~~ authorized or required by law, by rule
 21 of an administrative agency, or by rule or order of court that a
 22 document be verified by a person, the verification may be
 23 accomplished in the following manner:

24 (a) Under oath or affirmation taken or administered before
 25 an officer authorized under s. 92.50 or s. 117.10 to administer
 26 oaths; or

27 (b) By the signing of the written declaration prescribed
 28 in subsection (2).

29 Section 2. Paragraph (c) of subsection (4) of section
 30 117.05, Florida Statutes, is amended to read:

31 117.05 Use of notary commission; unlawful use; notary fee;
 32 seal; duties; employer liability; name change; advertising;
 33 photocopies; penalties.—

34 (4) When notarizing a signature, a notary public shall
 35 complete a jurat or notarial certificate in substantially the
 36 same form as those found in subsection (13). The jurat or
 37 certificate of acknowledgment shall contain the following
 38 elements:

39 (c) That the signer personally appeared before the notary
 40 public at the time of the notarization. This paragraph does not
 41 apply to the administration of an oath by a law enforcement
 42 officer, correctional officer, correctional probation officer,
 43 traffic accident investigation officer, or traffic infraction
 44 enforcement officer through reliable electronic means as
 45 authorized by s. 117.10.

46 Section 3. Section 117.10, Florida Statutes, is amended to
 47 read:

48 117.10 Law enforcement and correctional officers;
 49 administration of oaths.—

50 (1) For purposes of this section, the term "reliable
 51 electronic means" means the signing and transmission of a
 52 document through means compliant with criminal justice

53 information system security measures. Such signing and
54 transmission must be made by an affiant to an officer authorized
55 to administer oaths under subsection (2) under circumstances
56 that indicate that the document was submitted by the affiant.

57 (2) Law enforcement officers, correctional officers, and
58 correctional probation officers, as defined in s. 943.10, and
59 traffic accident investigation officers and traffic infraction
60 enforcement officers, as described in s. 316.640, are authorized
61 to administer oaths by reliable electronic means or in the
62 physical presence of an affiant when engaged in the performance
63 of official duties. Sections 117.01, 117.04, 117.045, 117.05,
64 and 117.103 do not apply to ~~the provisions of~~ this section. An
65 officer may not notarize his or her own signature.

66 (3) An oath administered pursuant to this section is an
67 acceptable method of verification as provided under s. 92.525.

68 Section 4. This act shall take effect July 1, 2015.