

No. 1988-78

AN ACT

HB 722

Amending the act of August 21, 1953 (P.L.1323, No.373), entitled "An act concerning notaries public; and amending, revising, consolidating and changing the law relating thereto," further providing for seals; and making repeals.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 5 of the act of August 21, 1953 (P.L.1323, No.373), known as The Notary Public Law, amended October 16, 1980 (P.L.977, No.166), is amended to read:

Section 5. Application to Become a Notary Public.—Applications for appointment to the office of notary public shall be made to the Secretary of the Commonwealth, on forms prescribed and furnished by him, and shall be accompanied by a *non-refundable filing* fee of twenty-five dollars (\$25), payable to the order of "State Treasurer," by money order, check, or draft. Each application shall bear the endorsement of the Senator of the district in which the applicant resides, or, in the case of a vacancy in that senatorial district, shall be endorsed by the Senator of an adjacent district.

Before issuing to any applicant a commission as notary public, the Secretary of the Commonwealth shall satisfy himself that the applicant is of good moral character, and is familiar with the duties and responsibilities of a notary public. Such qualifying requirements may be waived in the case of reappointment or appointments of persons making application within six (6) months after the expiration of a previous term as notary public, or appointments of persons who were prevented from applying for reappointment or from applying for appointment, within the six (6) month extension period mentioned above, by reason of their induction or enlistment in the armed forces of the United States, if application is made within one (1) year after military discharge of the applicant, under conditions other than dishonorable.

Section 2. Section 11 of the act is repealed.

Section 3. Section 12 of the act is amended to read:

Section 12. Notarial Seal.—[Every notary shall provide a public notarial seal with which he shall authenticate all his acts, instruments and attestations. There shall be engraved on such seal the words "Notary Public, Commonwealth of Pennsylvania," and the name and surname of the notary.]

(a) *A notary public shall provide and keep an official seal which shall be used to authenticate all the acts, instruments and attestations of the notary. The seal shall be a rubber stamp and shall show clearly in the following order: the words "Notarial Seal"; the name and surname of the notary and the words "Notary Public"; the name of the political subdivision and county in which the notary maintains an office; and the date the notary's commission expires.*

(b) The seal shall have a maximum height of one (1) inch and width of three and one-half (3 1/2) inches, with a plain border. It shall be stamped in a prominent place on the official notarial act near the notary's signature in such a manner as to be capable of photographic reproduction.

(c) In addition to the official seal required in subsection (a), a notary public shall also use and keep an embosser upon which shall be engraved the words "Notary Public, Commonwealth of Pennsylvania," and the name and surname of the notary. All documents executed shall bear a legibly embossed impression.

Section 4. Sections 13 and 14 of the act are repealed.

Section 5. This act shall take effect in 90 days.

APPROVED—The 30th day of June, A. D. 1988.

ROBERT P. CASEY