

NOTARY PUBLIC REVISION

2008 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Gregory S. Bell

House Sponsor: Douglas C. Aagard

LONG TITLE

General Description:

This bill modifies the Notaries Public Reform Act by amending disqualification provisions from performing a notary act.

Highlighted Provisions:

This bill:

- ▶ allows an attorney to notarize a document when the attorney is named in the document if the attorney is only named as representing a signer or another person named in the document; and
- ▶ makes technical changes.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

46-1-7, as repealed and reenacted by Laws of Utah 1998, Chapter 287

Be it enacted by the Legislature of the state of Utah:

Section 1. Section 46-1-7 is amended to read:

46-1-7. Disqualifications.

A notary may not perform a notarial act if the notary:

- (1) is a signer of [~~or named in~~] the document that is to be notarized except in case of a

30 self-proved will as provided in Section 75-2-504; or

31 (2) is named in the document that is to be notarized except:

32 (a) in the case of a self-proved will as provided in Section 75-2-504; or

33 (b) in the case of a licensed attorney that is listed in the document only as representing a  
34 signer or another person named in the document;

35 [~~2~~] (3) will receive directly from a transaction connected with a financial transaction in  
36 which the notary is named individually as a principal; or

37 [~~3~~] (4) will receive directly from a real property transaction in which the notary is  
38 named individually as a grantor, grantee, mortgagor, mortgagee, trustor, trustee, beneficiary,  
39 vendor, vendee, lessor, or lessee.