

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46-1-7, as repealed and reenacted by Laws of Utah 1998, Chapter 287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



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

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

30 ~~(a)~~ ~~§~~ in case of a self-proved will as provided in Section 75-2-504; ~~§~~ [and] or

30a ~~(2)~~ **is named in the document that is to be notarized except:**

30b ~~(a)~~ **in the case of a self-proved will as provided in Section 75-2-504; or** ~~§~~

31 ~~(b)~~ **in the case of a licensed attorney that is listed in the document only as representing**

32 **a signer or another person named in the document;**

33 ~~§~~ [or] ~~(3)~~ ~~§~~ will receive directly from a transaction connected with a financial

33a transaction in

34 which the notary is named individually as a principal; or

35 ~~§~~ [or] ~~(4)~~ ~~§~~ will receive directly from a real property transaction in which the notary is

named

36 individually as a grantor, grantee, mortgagor, mortgagee, trustor, trustee, beneficiary, vendor,

37 vendee, lessor, or lessee.

Legislative Review Note
as of 12-19-07 9:47 AM

Office of Legislative Research and General Counsel

S.B. 114 - Notary Public Revision

Fiscal Note

2008 General Session

State of Utah

State Impact

Enactment of this bill will not require additional appropriations.

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.
