

HOUSE BILL NO. 2724

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MCCANN BEATTY.

5940H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 486.245, 486.285, and 486.375, RSMo, and to enact in lieu thereof three new sections relating to notaries public, with penalty provisions.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 486.245, 486.285, and 486.375, RSMo, are repealed and three new sections enacted in lieu thereof, to be known as sections 486.245, 486.285, and 486.375, to read as follows:

486.245. **1.** The county clerk shall keep a register, listing the name and address of each person to whom he awards a notary commission and the date upon which he awards the commission. Within thirty days after receiving a bond, signature and oath, the county clerk shall forward the bond, signature and oath to the secretary of state by certified mail. All such bonds, signatures and oaths shall be preserved permanently by the secretary of state.

2. The secretary of state shall maintain a database that includes but is not limited to information that is contained on each notary's seal or any lost seal of a notary public.

486.285. **1. (1) A manufacturer of a notary public's seal shall register with the secretary of state and communicate to the secretary of state when it has issued a seal to a person in this state. After such communication, the secretary of state shall approve any seal issued by the manufacturer within ten days.**

(2) A copy of the notary's commission shall be maintained by such manufacturer.

(3) If a manufacturer violates the provisions of this subsection, the manufacturer shall be subject to a one thousand dollar fine for each violation.

2. Each notary public shall provide, keep, and use a seal which is either an engraved embosser seal or a black inked rubber stamp seal to be used on the document being notarized.

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

10 The seal shall contain the notary's name exactly as indicated on the commission and the words
11 "Notary Seal", "Notary Public", and "State of Missouri" and, after August 28, 2004, the
12 commission number assigned by the secretary of state, provided that the notary public has been
13 issued a commission number by the secretary of state, all of which shall be in print not smaller
14 than eight-point type.

15 [2.] 3. The indentations made by the seal embosser or printed by the black inked rubber
16 stamp seal shall not be applied on the notarial certificate or document to be notarized in a manner
17 that will render illegible or incapable of photographic reproduction any of the printed marks or
18 writing on the certificate or document.

19 [3.] 4. Every notary shall keep an official notarial seal that is the exclusive property of
20 the notary and the seal may not be used by any other person or surrendered to an employer upon
21 termination of employment.

486.375. Any person who acts as, or otherwise willfully impersonates, a notary public
2 while not lawfully appointed and commissioned to perform notarial acts is guilty of a
3 [misdemeanor and punishable upon conviction by a fine not exceeding five hundred dollars or
4 by imprisonment for not more than six months or both] **class D felony**.

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