

LEGISLATIVE BILL 88

Approved by the Governor February 11, 1971

Introduced by Roland A. Luedtke, 28th District

AN ACT to amend sections 64-101 and 64-210, Revised Statutes Supplement, 1969, relating to notaries public; to reduce the age of eligibility; to require the use of an ink stamp seal as prescribed; and to repeal the original sections.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 64-101, Revised Statutes Supplement, 1969, be amended to read as follows:

64-101. (1) The Governor is hereby authorized to appoint and commission such number of persons to the office of notary public as he shall deem necessary. (2) There shall be one class of such appointments which shall be valid in the entire state and referred to as general notaries public. (3) The term effective date, as used with reference to a commission of a notary public, shall mean the date of the commission unless the commission shall state when it goes into effect, in which event that date shall be the effective date. (4) A general commission may refer to the office as notary public and shall contain a provision showing that the person therein named is authorized to act as a notary public anywhere within the State of Nebraska or, in lieu thereof, may contain the word general or refer to the office as general notary public. (5) No person shall be appointed a notary public unless his or her application is accompanied by the petition of at least twenty-five legal voters of the county in which he or she resides. (6) No appointment shall be made until such applicant shall have attained the age of ~~twenty-one~~ twenty years nor unless such applicant shall certify to the Governor under oath that he or she has carefully read and understands the laws relating to the duties of notaries public and will, if commissioned, faithfully discharge the duties pertaining to said office and keep records according to law. (7) Each person appointed a notary public shall hold office for a term of four years from the effective date of his or her commission unless sooner removed.

Sec. 2. That section 64-210, Revised Statutes Supplement, 1969, be amended to read as follows:

64-210. (1) Each notary public, before performing any duties of his office, shall provide himself with an official seal on which shall appear the words State of Nebraska, General Notary or State of Nebraska, General Notarial, and his name, and in addition, at his option, ~~his--name--and~~ the date of expiration of his commission; Provided, a notary public may use the initial letters of his first name and middle name. A notary public shall authenticate all his official acts with such seal. Under his official signature, on all certificates of authentication made by him, he shall write, stamp, or otherwise show the date when his term of office as such notary public will expire if such date of expiration is not engraved on the seal.

(2) The official seal of a notary public may be either an engraved or ink stamp seal with which he shall authenticate all of his official acts; Provided, that every notary who receives a commission, either new or renewal, on or after January 1, 1972, shall use an ink stamp seal to authenticate any instrument.

Sec. 3. That original sections 64-101 and 64-210, Revised Statutes Supplement, 1969, are repealed.