GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

H **3**

HOUSE BILL 700
Committee Substitute Favorable 4/3/01
Senate Judiciary I Committee Substitute Adopted 5/7/01

Short Title: Notary Validation. (Public)

Sponsors:

Referred to:

March 20, 2001

A BILL TO BE ENTITLED

AN ACT TO VALIDATE CERTAIN NOTARIAL ACTS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 10A-16 reads as rewritten:

"**§ 10A-16. Acts of notaries public in certain instances validated.**

(a) Any acknowledgment taken and any instrument notarized by a person prior to qualification as a notary public but after commissioning or recommissioning as a notary public, or by a person whose notary commission has expired, is hereby validated. The acknowledgment and instrument shall have the same legal effect as if the person qualified as a notary public at the time the person performed the act.

(b) All documents bearing a notarial seal in which the date of the expiration of the notary's commission is stated, whether correctly or erroneously, or having a notarial seal that does not contain a readable impression of the notary's name, or contains an incorrect spelling of the notary's name, <u>or that does not bear the name of the notary exactly as it appears on the commission, as required by G.S. 10A-11,</u> or contains typed, printed, drawn, or handwritten material added to the seal, fails to contain the words "North Carolina" or the abbreviation "N. C.", or contains correct information except that instead of the abbreviation for North Carolina contains the abbreviation for another state are validated and given the same legal effect as if the errors had not occurred.

(c) All deeds of trust in which the notary was named in the document as a trustee only are validated.

(d) This section applies to notarial acts performed on or before ~~February 28, 1999.~~ <u>April 15, 2001.</u>"

SECTION 2. This act is effective when it becomes law.