

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2001**

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**SENATE BILL 1225**

Short Title: Amend Notary Public Act/Fees. (Public)

Sponsors: Senators Dannelly; Allran, Ballance, Carter, Clodfelter, Dalton, Garwood, Hoyle, Kerr, Lucas, Martin of Pitt, Metcalf, Odom, Purcell, Rand, and Warren.

Referred to: Judiciary I.

June 6, 2002

A BILL TO BE ENTITLED

AN ACT CLARIFYING THE DEFINITION OF SATISFACTORY EVIDENCE OF IDENTITY IN RELATION TO NOTARIAL ACTS, INCREASING NOTARY FEES, EXEMPTING CERTAIN PERSONS WHO PERFORM ACTS OF PUBLIC SERVICE FROM NOTARY FEES, AND REQUIRING NOTARIES TO MAINTAIN A JOURNAL OF NOTARIAL ACTS.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 10A-3(8) reads as rewritten:

**"§ 10A-3. Definitions.**

The following definitions apply in this Chapter:

...

(8) Satisfactory evidence of identity. – Identification of an individual based on either of the following:

- a. ~~One~~ At least one current document issued by a federal or state government with the individual's photograph, governmental agency bearing the photographic image of the individual's face, signature, and physical description of the individual seeking the notarial act. However, a properly stamped passport without a physical description shall be acceptable.
- b. ~~Identification by a credible person who is personally known to the notary and who has personal knowledge of the individual's identity.~~ The oath or affirmation of: (i) one credible person unaffected by the document or transaction, whom the notary personally knows and who

1 personally knows the individual seeking the notarial act  
2 or (ii) two credible persons unaffected by the document  
3 or transaction who each personally know the individual  
4 seeking the notarial act and show the notary  
5 identification as described in sub-subdivision a. of this  
6 subdivision.

7 ...."

8 SECTION 2. G.S. 10A-10 reads as rewritten:

9 "§ 10A-10. Fees of notaries.

10 The maximum fees that may be charged by a notary for notarial acts are as follows:

- 11 (1) For acknowledgments, ~~three dollars (\$3.00)~~five dollars (\$5.00) per signature.
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- 13 (2) For oaths or affirmations without a verification or proof, ~~three dollars (\$3.00)~~five dollars (\$5.00) per person.
- 14
- 15 (3) For verifications or proofs, ~~three dollars (\$3.00)~~five dollars (\$5.00) per signature.
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- 17 (4) A notary public shall not charge any fee to a United States military  
18 veteran, firefighter, police officer, or sheriff's deputy for notarization  
19 of an application or a claim for a pension, allotment, allowance,  
20 compensation, insurance policy, or any other benefit resulting from  
21 acts of public service."

22 SECTION 3. Chapter 10A of the General Statutes is amended by adding a  
23 new section to read:

24 "§ 10A-15.1. Journal of notarial acts.

25 (a) A notary public shall maintain in a sequential journal a record of all notarial  
26 acts performed. The journal shall be kept under the exclusive control of the notary.

27 (b) For every notarial act performed, the notary shall record in the journal all of  
28 the following:

- 29 (1) The date and time of the notarial act.
- 30 (2) The type of notarial act.
- 31 (3) The type, title, or description of each document notarized.
- 32 (4) The date of every document notarized.
- 33 (5) The name, address, signature, and right thumbprint of each person  
34 whose signature is notarized.
- 35 (6) A statement establishing how the signer's identity was confirmed,  
36 including, if applicable, the type of identification document submitted,  
37 with its serial number and date of issuance or expiration, or the name  
38 and signature of any identifying witness, including, if applicable, the  
39 type of document used to identify the witness and its serial number and  
40 date of issuance or expiration.
- 41 (7) The fee charged for the notarial act.

1       (c) In lieu of a sequential journal of notarial acts, a notary public who is an  
2 attorney currently licensed to practice in this State may maintain a record of notarial  
3 acts in office files regularly maintained during the course of the attorney's law practice."

4               **SECTION 4.** This act is effective when it becomes law.