

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

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# HOUSE BILL

## No. 2083

Session of  
2001

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INTRODUCED BY MCGEEHAN, M. BAKER, BROWNE, CAPPELLI, CORRIGAN, CRUZ, DALEY, DeLUCA, DONATUCCI, GEIST, GODSHALL, HARHAI, HERMAN, HORSEY, KIRKLAND, LEDERER, MANN, MELIO, OLIVER, PETRONE, RAYMOND, RIEGER, ROONEY, RUBLEY, SAINATO, SCHRODER, SOLOBAY, R. STEVENSON, SURRA, TANGRETTI, E. Z. TAYLOR, J. TAYLOR, TIGUE, TRELLO, TRICH, WILT, WOGAN, YOUNGBLOOD, WASHINGTON, LUCYK, THOMAS, G. WRIGHT, PISTELLA, PALLONE, J. WILLIAMS, WATERS, FLICK, JAMES, L. I. COHEN, CALTAGIRONE, WATSON, PIPPY, HANNA AND EGOLF, OCTOBER 24, 2001

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AS REPORTED FROM COMMITTEE ON CONSUMER AFFAIRS, HOUSE OF REPRESENTATIVES, AS AMENDED, MAY 7, 2002

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## AN ACT

1 Amending the act of August 21, 1953 (P.L.1323, No.373), entitled  
2 "An act concerning notaries public; and amending, revising,  
3 consolidating and changing the law relating thereto," further  
4 providing for register, for copies of records and for certain  
5 powers of notaries.

6 The General Assembly of the Commonwealth of Pennsylvania  
7 hereby enacts as follows:

8 Section 1. Sections 15, 16, 17 and 18 of the act of August  
9 21, 1953 (P.L.1323, No.373), known as The Notary Public Law, are  
10 amended to read:

11 Section 15. Register; Copies of Records.--(a) Every notary  
12 public shall keep an accurate register of all official acts by  
13 him done by virtue of his office, and shall, when thereunto  
14 required, give a certified copy of any record in his office to  
15 any person applying for same. Said register shall contain the

1 date of the act, the character of the act, and the date and  
2 parties to the instrument, and the amount of fee collected for  
3 the service. Along with the register the notary public shall  
4 maintain a copy of each RECORDS OF SATISFACTORY EVIDENCE OF <—  
5 identification card presented to the notary under section 16, 17 <—  
6 or 18 FOR A PERIOD OF TEN (10) YEARS. FOR THE PURPOSES OF THIS <—  
7 ACT, "SATISFACTORY EVIDENCE" SHALL MEAN THE RELIANCE ON THE  
8 PRESENTATION OF A CURRENT, GOVERNMENT-ISSUED PHOTO  
9 IDENTIFICATION CARD, OR TWO FORMS OF NON-PHOTO IDENTIFICATION,  
10 WHICH CONTAIN A SIGNATURE, PHYSICAL DESCRIPTION AND SERIAL OR  
11 IDENTIFICATION NUMBER OF THE PERSON REQUESTING NOTARY SERVICE.

12 (b) The register and other public papers of such notary  
13 shall not in any case be liable to be seized, attached or taken  
14 in execution for debt or for any demand whatsoever.

15 Section 16. Power to Administer Oaths and Affirmations.--  
16 Notaries shall have power to administer oaths and affirmations,  
17 according to law, in all matters belonging or incident to the  
18 exercise of their notarial office, to any person who first  
19 presents to the notary an identification card that includes a <—  
20 photograph of the person and that is issued by the Federal  
21 Government, by any state government or by a political  
22 subdivision of this Commonwealth SATISFACTORY EVIDENCE OF <—  
23 IDENTIFICATION. Any person who shall be convicted of having  
24 wilfully and knowingly made or taken a false oath or affirmation  
25 before any notary in any matters within their official duties  
26 shall be guilty of perjury and shall be subject to the penalties  
27 in such case made and provided.

28 Section 17. Power to Take Acknowledgment of Instruments of  
29 Writing Relating to Commerce or Navigation and to Make  
30 Declarations.--Notaries shall have the ~~power to receive the~~ <—

1 POWER:

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2 (1) TO RECEIVE THE proof of acknowledgment of all  
3 instruments of writing relating to commerce or navigation, such  
4 as bills of sale, bottomries, mortgages and hypothecations of  
5 ships or vessels, charter parties of affreightment, letters of  
6 attorney, and such other writings as have been usually proved or  
7 acknowledged before notaries within this Commonwealth, from any

8 person who first presents to the notary an identification card <—

9 that includes a photograph of the person and that is issued by

10 the Federal Government, by any state government or by a

11 political subdivision of this Commonwealth, and also to make

12 declarations SATISFACTORY EVIDENCE OF IDENTIFICATION; AND [ALSO] <—

13 (2) TO MAKE THE DECLARATIONS and testify TO the truth <—

14 thereof, under their seals of office, concerning all matters

15 DONE by them [done] in virtue of their respective offices. <—

16 Section 18. Power to Take Depositions, Affidavits and

17 Acknowledgment of Writings Relative to Lands.--Notaries shall

18 have power to take depositions and affidavits, to take and

19 receive the acknowledgment or proof of all deeds, conveyances,

20 mortgages, or other instruments or writing touching or

21 concerning any lands, tenements or hereditaments, situate, lying

22 and being in any part of this State from any person who first

23 presents to the notary an identification card that includes a <—

24 photograph of the person and that is issued by the Federal

25 Government, by any state government or by a political

26 subdivision of this Commonwealth SATISFACTORY EVIDENCE OF <—

27 IDENTIFICATION.

28 Section 2. This act shall take effect in 60 days.