

GLEN R. GRELL
87TH LEGISLATIVE DISTRICT

House of Representatives
PO Box 202087
Harrisburg, PA 17120-2087
Phone: 717-783-2063
Fax: 717-705-7012

5521 Carlisle Pike, Suite 2-D
Mechanicsburg, PA 17050
Phone: 717-795-6091
Fax: 717-795-6094

ggrell@pahousegop.com
www.repgrell.com



House of Representatives
Commonwealth of Pennsylvania
Harrisburg

MEMORANDUM

TO: All House Members
FROM: Representative Glen R. Grell
DATE: February 13, 2012
SUBJECT: Cosponsor Legislation – Uniform Unsworn Foreign Declarations & Revised Uniform Law on Notarial Acts

Committees

Appropriations
Judiciary
Subcommittee on Courts, Chairman

Insurance
State Government

Appointments

Public School Employees'
Retirement System,
Board of Trustees

South Central Pennsylvania Caucus, Chairman

I plan to introduce legislation to update and improve Pennsylvania laws regarding notarizations, acknowledgements and unsworn foreign declarations based upon the recommendations of the Uniform Law Commission, the Pennsylvania Association of Notaries, the American Bar Association, the Property Records Industry Association, the American Society of Notaries, and the National Notary Association. The legislation will help ensure that notarizations and acknowledgments are taken reliably and professionally; help prevent fraudulent notarization practices, and will facilitate electronic commerce.

The legislation will improve current Pennsylvania law by:

- Prohibiting notaries from engaging in false or deceptive advertising, preparing or offering to prepare legal documents, providing legal advice, and purporting to act as a notario publico;
- Increasing requirements for information retained in a notary public's journal to include the manner in which the identity of individuals is determined, the full name and address of individuals for whom notarial acts are performed, and both the time and date each act is performed;
- Imposing an affirmative obligation on notarial officers to verify the identity of any person for whom a notarial act is performed;
- Authorizing notarial officers to insist upon additional verifications of the identity of persons for whom notarial acts are performed and to refuse to perform notarial acts when concerns arise about identity, competence and coercion;
- Expanding the grounds for denying, refusing to renew, revoking or suspending notary commissions to include fraudulent, dishonest or deceitful acts; non-felony criminal convictions involving fraud, dishonesty or deceit; failure to discharge the duties of a notary; violations or regulations; and failure to maintain bonding;

- **Providing improved procedures and definitions to facilitate the performance of notarial acts on electronic records;**
- **Expanding the recognition of notarial acts performed in other jurisdictions beyond acknowledgements and brings PA law into compliance with the Hague Convention with respect to apostilles;**
- **Creating a public electronic database to verify the status of commissions issued to notaries and to identify notaries that are registered to perform notarial acts on electronic records; and**
- **Providing for the recognition of unsworn foreign declarations in a manner consistent with federal law to facilitate international commerce.**

If you wish to join me in cosponsoring this bill, please contact my office at 783-2063 or via email at lkoch@pahousegop.com. I would appreciate your support and cosponsorship.

GRG/lak