

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for House Bill No. 1858, Page 3, Section 400.9-516, Line 75,
2 by inserting after all of said section and line the following:

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4 "486.245. 1. The county clerk shall keep a register, listing the name and address of each
5 person to whom he awards a notary commission and the date upon which he awards the
6 commission. Within thirty days after receiving a bond, signature and oath, the county clerk shall
7 forward the bond, signature and oath to the secretary of state by certified mail. All such bonds,
8 signatures and oaths shall be preserved permanently by the secretary of state.

9 2. The secretary of state shall maintain a database that includes but is not limited to
10 information that is contained on each notary's seal or any lost seal of a notary public.

11 486.285. 1. (1) A manufacturer of a notary public's seal shall register with the secretary of
12 state and communicate to the secretary of state when it has issued a seal to a person in this state.
13 After such communication, the secretary of state shall approve any seal issued by the manufacturer
14 within ten days.

15 (2) A copy of the notary's commission shall be maintained by such manufacturer.

16 (3) If a manufacturer violates the provisions of this subsection, the manufacturer shall be
17 subject to a one thousand dollar fine for each violation.

18 2. Each notary public shall provide, keep, and use a seal which is either an engraved
19 embosser seal or a black inked rubber stamp seal to be used on the document being notarized. The
20 seal shall contain the notary's name exactly as indicated on the commission and the words "Notary
21 Seal", "Notary Public", and "State of Missouri" and, after August 28, 2004, the commission number
22 assigned by the secretary of state, provided that the notary public has been issued a commission
23 number by the secretary of state, all of which shall be in print not smaller than eight-point type.

24 [2.] 3. The indentations made by the seal embosser or printed by the black inked rubber
25 stamp seal shall not be applied on the notarial certificate or document to be notarized in a manner
26 that will render illegible or incapable of photographic reproduction any of the printed marks or
27 writing on the certificate or document.

28 [3.] 4. Every notary shall keep an official notarial seal that is the exclusive property of the
29 notary and the seal may not be used by any other person or surrendered to an employer upon
30 termination of employment.

31 486.375. Any person who acts as, or otherwise willfully impersonates, a notary public while
32 not lawfully appointed and commissioned to perform notarial acts is guilty of a [misdemeanor and
33 punishable upon conviction by a fine not exceeding five hundred dollars or by imprisonment for not
34 more than six months or both] class D felony."; and

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36 Further amend said bill, Page 6, Section 570.095, Line 121, by inserting after all of said section and
Standing Action Taken _____ Date _____

Select Action Taken _____ Date _____

1 line the following:

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"Section 1. 1. If a law requires a signature or record to be notarized, acknowledged, verified or made under oath, the requirement is satisfied if the electronic signature of the person authorized to perform those acts, together with all other information required to be included by other applicable law, is attached to or logically associated with the signature or record.

2. The secretary of state is hereby authorized to promulgate rules and regulations establishing procedures for an electronic notarization."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.