

Regular Session, 2001

HOUSE CONCURRENT RESOLUTION NO. 81

BY REPRESENTATIVE BRUNEAU

A CONCURRENT RESOLUTION

To request the secretary of state to study and make recommendations regarding the issuance of statewide commissions for non-attorney notaries public and to report his findings to the House Committee on Civil Law and Procedure and the Senate Committee on Judiciary A prior to January 1, 2003.

WHEREAS, non-attorney notaries public have been interested in acquiring a commission which would allow them to practice their profession on a statewide basis; and

WHEREAS, the profession of the notary public is one which requires great skill and knowledge of certain laws; and

WHEREAS, it is of great importance to the integrity of the profession that statewide standards be applied and that each notary public commissioned in this state keep current with the ever-changing laws of Louisiana; and

WHEREAS, it is mandatory that standards or rules of professional conduct as well as standardized testing and mandatory continuing education be required to receive a statewide commission; and

WHEREAS, an effective central authority or system for the enforcement of standards or requirements should be developed to ensure the integrity of the profession and to protect the citizens of Louisiana from those individuals who are commissioned as a notary public and who do not keep current with the laws, and who, through negligence or intentional conduct, violate the trust granted to them by virtue of their commission; and

WHEREAS, in order to fully study and consider the issues of statewide commissions, rules of professional conduct, standardized testing, and, more particularly, continuing education, the secretary of state should consider the input from representatives from the notary profession; and

WHEREAS, it will be necessary to collect certain fees to ensure the continued operation of any department, agency, or organization created to monitor and enforce standards established for those commissioned as notaries public.

THEREFORE, BE IT RESOLVED that, as a prerequisite to the Legislature of Louisiana considering the availability of a statewide commission for non-attorney notaries public, the secretary of state shall develop standards of conduct, including standardized testing and mandatory continuing education, and a system for the monitoring and enforcement of any standards or requirements developed, including necessary fees, to ensure the integrity of the profession and to report his findings to the House Committee on Civil Law and Procedure and the Senate Committee on Judiciary A prior to January 1, 2003.

BE IT FURTHER RESOLVED, that the secretary of state invite and include in its study and deliberations, at a mutually convenient time and place, the Custodian of Notarial Records, and a representative from each of the following associations:

- (1) A representative of the Louisiana Notary Association.
- (2) A representative of the Notaries' Association of New Orleans.
- (3) A representative of the Professional Association of Civil Law Notaries.
- (4) A representative of the International Union of Latin Notaries.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the secretary of state and to the Louisiana Notary Association, the Custodian of Notarial Records, the Notaries' Association of New Orleans,

the Professional Association of Civil Law Notaries, and the International Union of Latin Notaries.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE