



House Bill No. 5364

Public Act No. 12-29

AN ACT CONCERNING THE DEFINITION OF "NOTARIAL ACT".

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 3-94a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2012*):

The following terms, when used in sections 3-94a to 3-95, inclusive, shall have the following meanings unless the context otherwise requires:

(1) "Acknowledgment" means a notarial act in which a notary public certifies that a signatory, whose identity is personally known to the notary public or proven on the basis of satisfactory evidence, has admitted, in the notary public's presence, to having voluntarily signed a document for its stated purpose.

(2) "Copy certification" means a notarial act in which a notary public: (A) Is presented with an original document, (B) copies or supervises the copying of such document using a photographic or electronic copying process, (C) compares the original document presented to the copy, and (D) certifies that the copy is an accurate and complete reproduction of the original document presented, except that a notary public may not complete a copy certification if the original

House Bill No. 5364

document presented is: (i) A vital record, as defined in section 7-36, (ii) a document that is required to be recorded by an agent or employee of the state or any political subdivision thereof, or (iii) issued by a federal agency and federal law prohibits the copying of such document.

[(2)] (3) "Jurat" means a notarial act in which a notary public certifies that a signatory, whose identity is personally known to the notary public or proven on the basis of satisfactory evidence, has made, in the notary public's presence, a voluntary signature and taken an oath or affirmation vouching for the truthfulness of the signed document.

[(3)] (4) "Notarial act" or "notarization" means any act that a notary public is empowered to perform under the general statutes and includes taking an acknowledgment, administering an oath or affirmation, witnessing or attesting a signature and completing a copy certification.

[(4)] (5) "Notarial certificate" or "certificate" means the part of, or attachment to, a notarized document to be completed and signed by the notary public.

[(5)] (6) "Notary public" or "notary" means any person appointed by the Secretary of the State to perform notarial acts.

[(6)] (7) "Oath" or "affirmation" means a notarial act or part thereof in which a notary public certifies that a person has made a vow in the presence of the notary public on penalty of perjury. In the case of an oath, the vow shall include reference to a Supreme Being unless an affirmation is administered as provided by section 1-23.

[(7)] (8) "Official misconduct" means (A) a notary public's performance of an act prohibited by the general statutes or failure to perform an act mandated by the general statutes, or (B) a notary public's performance of a notarial act in a manner found to be negligent, illegal or against the public interest.

House Bill No. 5364

[(8)] (9) "Personal knowledge of identity" means familiarity with an individual resulting from interaction with that individual over a period of time sufficient to eliminate any reasonable doubt that the individual has the identity claimed.

[(9)] (10) "Satisfactory evidence of identity" means identification of an individual based on (A) at least two current documents, one issued by a federal or state government and containing the individual's signature and either a photograph or physical description, and the other by an institution, business entity or state government or the federal government and containing at least the individual's signature, or (B) the oath or affirmation of a credible person who is personally known to the notary public and who personally knows the individual.

[(10)] (11) "Secretary" means the Secretary of the State.

Approved May 14, 2012