



General Assembly

February Session, 2012

**Amendment**

LCO No. 3283

**\*HB0536403283HDO\***

Offered by:  
REP. FOX, 146<sup>th</sup> Dist.

To: House Bill No. 5364

File No. 253

Cal. No. 206

**"AN ACT CONCERNING THE DEFINITION OF "NOTARIAL ACT"."**

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

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 Section 3-94a of the general statutes is repealed and the  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

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

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

13 (2) "Copy certification" means a notarial act in which a notary  
14 public: (A) Is presented with an original document, (B) copies or

15 supervises the copying of such document using a photographic or  
16 electronic copying process, (C) compares the original document  
17 presented to the copy, and (D) certifies that the copy is an accurate and  
18 complete reproduction of the original document presented, except that  
19 a notary public may not complete a copy certification if the original  
20 document presented is: (i) A vital record, as defined in section 7-36, (ii)  
21 a document that is required to be recorded by an agent or employee of  
22 the state or any political subdivision thereof, or (iii) issued by a federal  
23 agency and federal law prohibits the copying of such document.

24 [(2)] (3) "Jurat" means a notarial act in which a notary public certifies  
25 that a signatory, whose identity is personally known to the notary  
26 public or proven on the basis of satisfactory evidence, has made, in the  
27 notary public's presence, a voluntary signature and taken an oath or  
28 affirmation vouching for the truthfulness of the signed document.

29 [(3)] (4) "Notarial act" or "notarization" means any act that a notary  
30 public is empowered to perform under the general statutes and  
31 includes taking an acknowledgment, administering an oath or  
32 affirmation, witnessing or attesting a signature and completing a copy  
33 certification.

34 [(4)] (5) "Notarial certificate" or "certificate" means the part of, or  
35 attachment to, a notarized document to be completed and signed by  
36 the notary public.

37 [(5)] (6) "Notary public" or "notary" means any person appointed by  
38 the Secretary of the State to perform notarial acts.

39 [(6)] (7) "Oath" or "affirmation" means a notarial act or part thereof  
40 in which a notary public certifies that a person has made a vow in the  
41 presence of the notary public on penalty of perjury. In the case of an  
42 oath, the vow shall include reference to a Supreme Being unless an  
43 affirmation is administered as provided by section 1-23.

44 [(7)] (8) "Official misconduct" means (A) a notary public's  
45 performance of an act prohibited by the general statutes or failure to

46 perform an act mandated by the general statutes, or (B) a notary  
 47 public's performance of a notarial act in a manner found to be  
 48 negligent, illegal or against the public interest.

49 [(8)] (9) "Personal knowledge of identity" means familiarity with an  
 50 individual resulting from interaction with that individual over a  
 51 period of time sufficient to eliminate any reasonable doubt that the  
 52 individual has the identity claimed.

53 [(9)] (10) "Satisfactory evidence of identity" means identification of  
 54 an individual based on (A) at least two current documents, one issued  
 55 by a federal or state government and containing the individual's  
 56 signature and either a photograph or physical description, and the  
 57 other by an institution, business entity or state government or the  
 58 federal government and containing at least the individual's signature,  
 59 or (B) the oath or affirmation of a credible person who is personally  
 60 known to the notary public and who personally knows the individual.

61 [(10)] (11) "Secretary" means the Secretary of the State."

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2012	3-94a