

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 HOUSE BILL 1578

By: Lawson

6 AS INTRODUCED

7 An Act relating to notaries public; amending 49 O.S.
8 2021, Section 113, as amended by Section 2, Chapter
9 226, O.S.L. 2024 (49 O.S. Supp. 2024, Section 113),
which relates to acknowledgment, verification,
witnessing, and certifying of notarial officer;
modifying penalty; and providing an effective date.

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11 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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13 SECTION 1. AMENDATORY 49 O.S. 2021, Section 113,

14 as amended by Section 2, Chapter 226, O.S.L. 2024 (49 O.S.

15 Supp. 2024, Section 113), is amended to read as follows:

16 Section 113. A. In taking an acknowledgment, the
17 notarial officer must determine, either from personal
18 knowledge or from satisfactory evidence, that the person
19 appearing before the officer and making the acknowledgment is
20 the person whose true signature is on the instrument.

21 B. In taking a verification upon oath or affirmation, the
22 notarial officer must determine, either from personal knowledge or
23 from satisfactory evidence, that the person appearing before the

1 | officer and making the verification is the person whose true
2 | signature is on the statement verified.

3 | C. In witnessing or attesting a signature the notarial officer
4 | must determine, either from personal knowledge or from satisfactory
5 | evidence, that the signature is that of the person appearing before
6 | the officer and named therein.

7 | D. In certifying or attesting a copy of a document or other
8 | item, the notarial officer must determine that the proffered copy is
9 | a full, true, and accurate transcription or reproduction of that
10 | which was copied. In the case of official records, only the
11 | custodian of the official records may issue an official certified
12 | copy.

13 | E. In making or noting a protest of a negotiable instrument the
14 | notarial officer must determine the matters set forth in Section 3-
15 | 509 of the Uniform Commercial Code.

16 | F. A notarial officer has satisfactory evidence that a person
17 | is the person whose true signature is on a document if that person
18 | is personally known to the notarial officer, is identified upon the
19 | oath or affirmation of a credible witness personally known to the
20 | notarial officer or is identified on the basis of identification
21 | documents.

22 | G. A notarial officer who performs a notarial act pursuant to
23 | this section without first making in good faith the required
24 | determination of the identity of the person appearing before the

1 | notary shall be guilty of a misdemeanor felony and upon conviction
2 | be subject to a fine not to exceed ~~One Thousand Dollars (\$1,000.00)~~
3 | Five Thousand Dollars (\$5,000.00), to imprisonment in the county
4 | jail not to exceed ~~ten (10)~~ thirty (30) days, or both such fine and
5 | imprisonment.

6 | SECTION 2. This act shall become effective November 1, 2025.
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8 | 60-1-11563 AQH 12/31/24
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