

111TH CONGRESS
1ST SESSION

H. R. 3808

To require any Federal or State court to recognize any notarization made by a notary public licensed by a State other than the State where the court is located when such notarization occurs in or affects interstate commerce.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 14, 2009

Mr. ADERHOLT (for himself, Mr. DAVIS of Alabama, Mr. BRALEY of Iowa, and Mr. CASTLE) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To require any Federal or State court to recognize any notarization made by a notary public licensed by a State other than the State where the court is located when such notarization occurs in or affects interstate commerce.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Interstate Recognition
5 of Notarizations Act of 2009”.

1 **SEC. 2. RECOGNITION OF NOTARIZATIONS IN FEDERAL**
2 **COURTS.**

3 Each Federal court shall recognize any lawful notari-
4 zation made by a notary public licensed or commissioned
5 under the laws of a State other than the State where the
6 Federal court is located if—

7 (1) such notarization occurs in or affects inter-
8 state commerce; and

9 (2)(A) a seal of office, as symbol of the notary
10 public's authority, is used in the notarization; or

11 (B) in the case of an electronic record, the seal
12 information is securely attached to, or logically asso-
13 ciated with, the electronic record so as to render the
14 record tamper-resistant.

15 **SEC. 3. RECOGNITION OF NOTARIZATIONS IN STATE**
16 **COURTS.**

17 Each court that operates under the jurisdiction of a
18 State shall recognize any lawful notarization made by a
19 notary public licensed or commissioned under the laws of
20 a State other than the State where the court is located
21 if—

22 (1) such notarization occurs in or affects inter-
23 state commerce; and

24 (2)(A) a seal of office, as symbol of the notary
25 public's authority, is used in the notarization; or

1 (B) in the case of an electronic record, the seal
2 information is securely attached to, or logically asso-
3 ciated with, the electronic record so as to render the
4 record tamper-resistant.

5 **SEC. 4. DEFINITIONS.**

6 In this Act:

7 (1) **ELECTRONIC RECORD.**—The term “elec-
8 tronic record” has the meaning given that term in
9 section 106 of the Electronic Signatures in Global
10 and National Commerce Act (15 U.S.C. 7006).

11 (2) **LOGICALLY ASSOCIATED WITH.**—Seal infor-
12 mation is “logically associated with” an electronic
13 record if the seal information is securely bound to
14 the electronic record in such a manner as to make
15 it impracticable to falsify or alter, without detection,
16 either the record or the seal information.

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