

111TH CONGRESS
2^D SESSION

H. R. 3808

IN THE SENATE OF THE UNITED STATES

APRIL 28, 2010

Received; read twice and referred to the Committee on the Judiciary

AN ACT

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Interstate Recognition
3 of Notarizations Act of 2010”.

4 **SEC. 2. RECOGNITION OF NOTARIZATIONS IN FEDERAL**
5 **COURTS.**

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

10 (1) such notarization occurs in or affects inter-
11 state commerce; and

12 (2)(A) a seal of office, as symbol of the notary
13 public’s authority, is used in the notarization; or

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

18 **SEC. 3. RECOGNITION OF NOTARIZATIONS IN STATE**
19 **COURTS.**

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

25 (1) such notarization occurs in or affects inter-
26 state commerce; and

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

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

7 **SEC. 4. DEFINITIONS.**

8 In this Act:

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

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

Passed the House of Representatives April 27, 2010.

Attest:

LORRAINE C. MILLER,

Clerk.