

Senate Bill 535

By: Senator Burton of the 5th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 17 of Title 45 of the Official Code of Georgia Annotated,
2 relating to general provisions relative to notaries public, so as to provide notaries with
3 identification guidelines; to provide for related matters; to repeal conflicting laws; and for
4 other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Article 1 of Chapter 17 of Title 45 of the Official Code of Georgia Annotated, relating to
8 general provisions relative to notaries public, is amended by adding after Code Section
9 45-17-8.2, relating to misrepresentation prohibited, a new Code section to read as follows:
10 "45-17-8.3.

11 (a) A notarial act must not be performed unless the notary public has personal knowledge
12 or evidence of the identity of the person whose signature is notarized.

13 (b) As used in this Code section, 'personal knowledge' means familiarity with an individual
14 resulting from interactions with that individual over a period of time sufficient to ensure
15 beyond a reasonable doubt that the individual has the identity claimed.

16 (c) Evidence of the identity of an individual consists of either:

17 (1) At least one current document issued by a federal or state government agency bearing
18 the photographic image of the individual's face and signature and a physical description
19 of the individual; provided, however, a properly stamped passport without a physical
20 description is acceptable;

21 (2) The oath or affirmation of one credible person unaffected by the document or
22 transaction who is personally known to the notary public and who personally knows the
23 individual; or

24 (3) The oath or affirmation of two credible persons unaffected by the document or
25 transaction who each personally knows the individual and shows to the notary
26 documentary identification as described in paragraph (1) of this subsection."

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SECTION 2.

2 All laws and parts of laws in conflict with this Act are repealed.