

Senate Bill 50

By: Senators Douglas of the 17th, Rogers of the 21st, Hawkins of the 49th, Schaefer of the 50th, Hill of the 4th and others

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 that a notary shall  
3 be a legal resident of the United States; to provide a penalty; to repeal conflicting laws; and  
4 for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **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 revising subsection (a) of Code  
9 Section 45-17-2, relating to qualifications for notaries, as follows:

10 "(a) Any individual applying for appointment to be a notary public must be:  
11 (1) At least 18 years old;  
12 (2) A legal resident of the United States;  
13 (3) A resident of this state;  
14 (3)(4) A resident of the county from which such individual is appointed; and  
15 (4)(5) Able to read and write the English language."

16 **SECTION 2.**

17 Said article is further amended by revising Code Section 45-17-20, relating to penalties and  
18 prosecution for violations of such article, as follows:

19 "45-17-20.  
20 (a) Any person who violates subsection (d) of Code Section 45-17-8 shall be guilty of a  
21 misdemeanor.  
22 (b) Any person who performs any notarial service without complying with the provisions  
23 of Code Section 45-17-2 shall, on the first and second offenses, be guilty of a misdemeanor  
24 and on the third and each subsequent offense be guilty of a felony punishable by not more  
25 than five years incarceration or a fine not to exceed \$5,000.00 or both.

1     (c) Each clerk of superior court is authorized to recommend to the appropriate prosecuting  
2     officers that criminal proceedings be instituted for violations of this article."

3

**SECTION 3.**

4     All laws and parts of laws in conflict with this Act are repealed.