

## SB289 INTRODUCED



1 SB289  
2 67XEZZ3-1  
3 By Senators Coleman, Givhan  
4 RFD: Judiciary  
5 First Read: 04-Apr-24

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4 SYNOPSIS:

5 Existing law prohibits a notary public from  
6 acknowledging a document that is required for a  
7 transaction in which the notary has a financial  
8 interest.

9 This bill would explicitly recognize that this  
10 prohibition does not apply to professionals such as  
11 attorneys, accountants, or real estate brokers, or  
12 their employees, who may lawfully notarize the  
13 documents that are a necessary part of the professional  
14 services for which they are paid.

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17 A BILL  
18 TO BE ENTITLED  
19 AN ACT  
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21 Relating to state-at-large notaries public; to add  
22 Section 36-20-70.1 to the Code of Alabama 1975, to provide  
23 that both individuals who are licensed professionals and their  
24 employees who are commissioned as notaries public may lawfully  
25 perform notarial acts that are required in the practice of  
26 their profession.

27 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

28 Section 1. Section 36-20-70.1 is added to the Code of



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Alabama 1975, to read as follows:

§36-20-70.1

(a) For purposes of this section, the term "professional service" means any service or occupation that may be lawfully performed only pursuant to a license issued by a state court, state regulatory licensing board, or other similar agency, and the term "professional" refers to an individual who holds the license.

(b) Notwithstanding Section 36-20-70, Code of Alabama 1975:

(1) A professional who is commissioned as a notary public, in the normal course of providing a professional service in exchange for a fee, commission, or other payment, may perform any acknowledgment or other notarial act that is required to provide the professional service; and

(2) An individual who is employed by a professional and who is commissioned as a notary public may perform any acknowledgment or other notarial act that is required in the normal course of providing a professional service for which the employing professional receives a fee, commission, or other payment.

Section 2. This act shall become effective on October 1, 2024.