

**SB289 INTRODUCED**



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



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

SYNOPSIS:

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

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

A BILL  
TO BE ENTITLED  
AN ACT

Relating to state-at-large notaries public; to add Section 36-20-70.1 to the Code of Alabama 1975, to provide that both individuals who are licensed professionals and their employees who are commissioned as notaries public may lawfully perform notarial acts that are required in the practice of their profession.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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



## SB289 INTRODUCED

29 Alabama 1975, to read as follows:

30 §36-20-70.1

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

37 (b) Notwithstanding Section 36-20-70, Code of Alabama  
38 1975:

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

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

50 Section 2. This act shall become effective on October  
51 1, 2024.