

109TH CONGRESS
2^D SESSION

H. R. 1458

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. RECOGNITION OF NOTARIZATIONS IN FEDERAL**
2 **COURTS.**

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

7 (1) such notarization occurs in or affects inter-
8 state commerce; and

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

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

15 **SEC. 2. RECOGNITION OF NOTARIZATIONS IN STATE**
16 **COURTS.**

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

22 (1) such notarization occurs in or affects inter-
23 state commerce; and

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

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

5 **SEC. 3. DEFINITIONS.**

6 In this Act:

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

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

 Passed the House of Representatives December 6,
2006.

Attest:

Clerk.

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