

109<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 1458

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IN THE SENATE OF THE UNITED STATES

DECEMBER 7, 2006

Received

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## 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:

KAREN L. HAAS,

*Clerk.*