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HOUSE BILL NO. 469

House Amendments in [] — January 23, 2002

A BILL to amend and reenact § 47.1-14 of the Code of Virginia, relating to the duties of a notary public.

Patron Prior to Engrossment—Delegate Suit

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 47.1-14 of the Code of Virginia is amended and reenacted as follows:

§ 47.1-14. Duty of care.

[A.] A notary shall exercise reasonable care in the performance of his duties generally. He shall exercise a high degree of care in ascertaining the identity of any person whose identity is the subject of a notarial act. [Unless such person is known by the notary,] identity shall be ascertained by examination of one or more of the following documents: a United States Passport, a certificate of United States citizenship, a certificate of naturalization, an unexpired foreign passport, an alien registration card with photograph, a state-issued driver's license or state-issued identification card [(which must include on such license or card the name, sex, date of birth, height, weight, and color of eyes of the person whose identity is the subject of a notarial act);] or a United States military card.

[B. A notary shall maintain a record of each notarial act performed, such record to include (i) the name and address of the person requesting the notarial act, (ii) the date and place the notarial act was performed, (iii) the name and address of each person making an oath or executing a writing, and (iv) the type of identification presented to the notary in complying with subsection A. The record provided for herein shall be made available to the Secretary at any time during normal business hours for review and audit. Failure to properly maintain a record shall subject a notary to removal from office as provided in § 47.1-24.]

ENGROSSED

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