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**HOUSE BILL NO. 492****AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the House Committee for Courts of Justice  
on February 3, 2014)

(Patron Prior to Substitute—Delegate Albo)

*A BILL to amend the Code of Virginia by adding a section numbered 47.1-15.1, relating to prohibitions on notary advertising; penalty.*

**Be it enacted by the General Assembly of Virginia:**

**1. That the Code of Virginia is amended by adding a section numbered 47.1-15.1 as follows:**

**§ 47.1-15.1. Additional prohibition on advertising; penalty.**

A. A notary public who is not accredited pursuant to 8 C.F.R. § 292.2 to represent persons in immigration proceedings shall not offer or provide advice on any immigration matter. For purposes of this section, "immigration matter" means any proceeding, filing, or action affecting the nonimmigrant, immigrant, or citizenship status of any person that arises under immigration and naturalization law, under executive order or presidential proclamation of the United States or any foreign country, or under action of the U.S. Department of Homeland Security, the U.S. Department of Labor, or the U.S. Department of State.

B. A notary public shall not assume, use, or advertise the title of "notario," "notario publico," or "licenciado," unless such notary public is authorized or licensed to practice law in Virginia. Any person who violates this subsection is subject to a civil penalty not to exceed \$500 for a first violation and a civil penalty not to exceed \$1,000 for a second or subsequent violation. All penalties arising under this subsection shall be recovered in a civil action brought by the Attorney General in the name of the Commonwealth, and the proceeds shall be deposited into the Legal Aid Services Fund established in § 17.1-278. Any third violation shall result in permanent revocation of the commission of notary public.

C. Nothing in this section shall preempt or preclude additional civil, administrative, or criminal penalties authorized by law.