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HOUSE BILL NO. 1670

House Amendments in [] - January 24, 2011

A *BILL to amend and reenact § 47.1-30 of the Code of Virginia, relating to conflicts of interests for notaries.*

Patron Prior to Engrossment—Delegate Brink

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 47.1-30 of the Code of Virginia is amended and reenacted as follows:

§ 47.1-30. Conflict of interests.

No notary shall perform any notarial act with respect to any document, writing, or electronic document [to which the notary or his spouse is a party, or in which either of them has a direct beneficial interest] [~~that~~ , or that otherwise] *presents a conflict between his personal interest and his official duty.* A notary nominated as a fiduciary in a will shall not, for that reason alone, be deemed a party to the will or to have a ~~direct beneficial interest therein~~ *in conflict between his personal interest and his official duty.*

Any notary who violates the provisions of this section shall be guilty of official misconduct.

A notarial act performed in violation of this section shall not automatically be void for such reason, but shall be voidable in the discretion of any court of competent jurisdiction upon the motion of any person injured thereby.

ENGROSSED

HB1670E