

**PROPOSED REGULATION OF THE  
SECRETARY OF STATE**

**LCB File No. R116-13**

**Section 1.** NAC 240.227 is hereby repealed.

**Sec 2.** Chapter 240 of NAC is hereby amended by adding thereto a new section to read as follows:

*When notarizing the signature of an individual personally known to the notary, the notary is not required to record the personal identification; however will notate "known personally" in the designated column (NRS 240.120(1)(e))*

**Sec. 3.** *A notary public shall keep in a secure location his or her journal and stamp during any period in which the notary public is not making an entry or notating in the journal and his or her notary stamp is not being used.*

*1. A secure location includes but is not limited to:*

- a. In the notary's sole possession;*
- b. In a locked location in which the notary has sole control.*

**Sec. 4.** *On a document which is designed to provide information within blank spaces, a notary may not notarize this document if:*

- a) The missing information has not been entered into the empty space; or*
  - b) the document signer's signature is missing pursuant to NRS 240.*
- 2. The missing information as described above (section 1(b)) does not include:*
- a) Any empty space with N/A written in it or a line drawn through it; or*
  - b) any additional signature lines designated for an additional signer, if it is clear that the notarization does not apply to the blank signature line.*

**Sec. 5.** *Pursuant to NRS 240.030, upon the effective date to be designated by the Secretary of State, all persons requesting a renewal or new notary appointment will be required to submit:*

- a. A complete set of fingerprints and written permission authorizing the Secretary of State to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation of its report; and*
- b. The fee for the cost to obtain the required fingerprinting, submission of such to the appropriate authorities the investigation conducted in conjunction with the notary public appointment shall not exceed the sum of the amounts charged for this service. (NRS 240.030(e)(1)(2))*

**Sec. 6.** *Notary Language for Signature by Another.*

*1. When the intended signer of a document is unable to sign (write) his or her name, that person may designate another to sign on their behalf. If the document requires the intended signer's signature be notarized the notarization must meet the following requirements:*

- a) *The intended document signer must be physically unable to sign under his or her own power;*
- b) *The intended signer may designate another person to sign on their behalf;*
- c) *Both the intended signer and designate signer must appear before the notary at the time of the signing; and*
- d) *The signing must take place in front of the notary and at least one other impartial witness.*

**2. The intended signer and designated signer must comply with all requirements pursuant to NRS 240.120 and 240.1655**

*State of Nevada*  
*County of \_\_\_\_\_*

*This instrument was acknowledged on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_,*

*by \_\_\_\_\_ and requested that his/her*  
*(Name of person unable to sign by reason of physical incapacity)*

*signature be affixed to the above instrument by \_\_\_\_\_.*  
*(Name of person designate to sign)*

*Notary Stamp below:*

\_\_\_\_\_  
*Signature of Notary*

*Witness:*

\_\_\_\_\_  
*Signature of Witness*

\_\_\_\_\_  
*Print name of witness*

\_\_\_\_\_  
*Address of Witness*

**Sec. 7. Chapter 240 of NAC is hereby amended by adding thereto a new section to read as follows:**

- 1. The fee for performing a marriage ceremony set forth in NRS 240.100 shall only be charged by a notary public who has complied with the requirements of and has been issued a certificate of permission to perform marriages pursuant NRS 122.064 and that certificate is valid.*
- 2. Any violation, including a first time violation, of this section may result in the suspension or revocation of the notary public appointment.*