
ASSEMBLY BILL NO. 245—ASSEMBLYMAN FLORES

MARCH 12, 2021

Referred to Committee on Government Affairs

SUMMARY—Increases certain fees relating to notaries public and document preparation services. (BDR 19-983)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to public affairs; increasing certain fees which may be charged by a notary public; increasing certain fees required to register or renew a registration to engage in the business of a document preparation service; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law authorizes a notary public to charge a fee of not more than: (1)
2 \$5.00 for taking an acknowledgement, for the first signature of each signer; (2)
3 \$2.50 for each additional signature of each signer; (3) \$2.50 for administering an
4 oath or affirmation without a signature; (4) \$2.50 for a certified copy; and (5) \$5.00
5 for a jurat, for each signature on the affidavit. (NRS 240.100) **Section 1** of this bill
6 increases these fees to not more than: (1) \$15.00 for taking an acknowledgement,
7 for the first signature of each signer; (2) \$7.50 for each additional signature of each
8 signer; (3) \$7.50 for administering an oath or affirmation without a signature; (4)
9 \$7.50 for a certified copy; and (5) \$15.00 for a jurat, for each signature on the
10 affidavit.

11 Existing law requires a person who wishes to engage in the business of a
12 document preparation service to pay a nonrefundable application fee of \$50. (NRS
13 240A.100) **Section 2** of this bill increases the application fee to \$100.

14 Existing law requires a person who wishes to renew his or her registration to
15 engage in the business of a document preparation service to pay a renewal fee of
16 \$25 every year upon the expiration of the registration. (NRS 240A.110) **Section 3**
17 of this bill increases the renewal fee to \$50.



THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 240.100 is hereby amended to read as follows:
2 240.100 1. Except as otherwise provided in subsection 3, a
3 notary public may charge the following fees and no more:

- 4
- 5 For taking an acknowledgment, for the first
- 6 signature of each signer ~~[\$5.00]~~ **\$15.00**
- 7 For each additional signature of each signer ~~[2.50]~~ **7.50**
- 8 For administering an oath or affirmation..... ~~[2.50]~~ **7.50**
- 9 For a certified copy..... ~~[2.50]~~ **7.50**
- 10 For a jurat, for each signature on the affidavit ~~[5.00]~~ **15.00**
- 11 For performing a marriage ceremony 75.00
- 12

13 2. All fees prescribed in this section are payable in advance, if
14 demanded.

15 3. A notary public may charge an additional fee for traveling to
16 perform a notarial act if:

17 (a) The person requesting the notarial act asks the notary public
18 to travel;

19 (b) The notary public explains to the person requesting the
20 notarial act that the fee is in addition to the fee authorized in
21 subsection 1 and is not required by law;

22 (c) The person requesting the notarial act agrees in advance
23 upon the hourly rate that the notary public will charge for the
24 additional fee; and

25 (d) The additional fee does not exceed:

26 (1) If the person requesting the notarial act asks the notary
27 public to travel between the hours of 6 a.m. and 7 p.m., \$10 per
28 hour.

29 (2) If the person requesting the notarial act asks the notary
30 public to travel between the hours of 7 p.m. and 6 a.m., \$25 per
31 hour.

32 ➤ The notary public may charge a minimum of 2 hours for such
33 travel and shall charge on a pro rata basis after the first 2 hours.

34 4. A notary public is entitled to charge the amount of the
35 additional fee agreed to in advance by the person requesting the
36 notarial act pursuant to subsection 3 if:

37 (a) The person requesting the notarial act cancels the request
38 after the notary public begins his or her travel to perform the
39 requested notarial act.

40 (b) The notary public is unable to perform the requested notarial
41 act as a result of the actions of the person who requested the notarial



1 act or any other person who is necessary for the performance of the
2 notarial act.

3 5. For each additional fee that a notary public charges for
4 traveling to perform a notarial act pursuant to subsection 3, the
5 notary public shall enter in the journal that he or she keeps pursuant
6 to NRS 240.120:

7 (a) The amount of the fee; and

8 (b) The date and time that the notary public began and ended
9 such travel.

10 6. A person who employs a notary public may prohibit the
11 notary public from charging a fee for a notarial act that the notary
12 public performs within the scope of the employment. Such a person
13 shall not require the notary public whom the person employs to
14 surrender to the person all or part of a fee charged by the notary
15 public for a notarial act performed outside the scope of the
16 employment of the notary public.

17 **Sec. 2.** NRS 240A.100 is hereby amended to read as follows:

18 240A.100 1. A person who wishes to engage in the business
19 of a document preparation service must be registered by the
20 Secretary of State pursuant to this chapter. An applicant for
21 registration must be:

22 (a) A natural person;

23 (b) A citizen or legal resident of the United States or hold a
24 valid Employment Authorization Document issued by the United
25 States Citizenship and Immigration Services of the Department of
26 Homeland Security; and

27 (c) At least 18 years of age.

28 2. The Secretary of State shall not register as a document
29 preparation service any person:

30 (a) Who is suspended or has previously been disbarred from the
31 practice of law in any jurisdiction;

32 (b) Whose registration as a document preparation service in this
33 State or another state has previously been revoked for cause;

34 (c) Whose appointment or registration as a notary public in this
35 State or another state has been previously revoked or suspended for
36 cause;

37 (d) Who has previously been convicted of, or entered a plea of
38 guilty, guilty but mentally ill or nolo contendere to, a gross
39 misdemeanor or a category D felony pursuant to NRS 240A.290; or

40 (e) Who has, within the 10 years immediately preceding the date
41 of the application for registration as a document preparation service,
42 been:

43 (1) Convicted of, or entered a plea of guilty, guilty but
44 mentally ill or nolo contendere to, a crime involving theft, fraud or
45 dishonesty;



1 (2) Convicted of, or entered a plea of guilty, guilty but
2 mentally ill or nolo contendere to, the unauthorized practice of law
3 pursuant to NRS 7.285 or the corresponding statute of any other
4 jurisdiction; or

5 (3) Adjudged by the final judgment of any court to have
6 committed an act involving theft, fraud or dishonesty.

7 3. An application for registration as a document preparation
8 service must be made under penalty of perjury on a form prescribed
9 by regulation of the Secretary of State and must be accompanied by:

10 (a) A nonrefundable application fee of ~~[\$50;]~~ \$100; and

11 (b) A cash bond or surety bond meeting the requirements of
12 NRS 240A.120 or proof that the applicant is covered by a bond filed
13 by a business entity pursuant to NRS 240A.123.

14 4. An applicant for registration must submit to the Secretary of
15 State a declaration under penalty of perjury stating that the applicant
16 has not had a certificate or license as a document preparation service
17 revoked or suspended in this State or any other state or territory of
18 the United States.

19 5. After the investigation of the history of the applicant is
20 completed, the Secretary of State shall issue a certificate of
21 registration if the applicant is qualified for registration and has
22 complied with the requirements of this section. Each certificate of
23 registration must bear the name of the registrant and a registration
24 number unique to that registrant. The Secretary of State shall
25 maintain a record of the name and registration number of each
26 registrant.

27 6. An application for registration as a document preparation
28 service that is not completed within 120 days after the date on which
29 the application was submitted must be denied. If an application is
30 denied pursuant to this subsection, the applicant may submit a new
31 application.

32 **Sec. 3.** NRS 240A.110 is hereby amended to read as follows:

33 240A.110 1. The registration of a document preparation
34 service is valid for 1 year after the date of issuance of the certificate
35 of registration, unless the registration is suspended or revoked.
36 Except as otherwise provided in this section, the registration may be
37 renewed subject to the same conditions as the initial registration. An
38 application for renewal must be made under penalty of perjury on a
39 form prescribed by regulation of the Secretary of State and must be
40 accompanied by:

41 (a) A renewal fee of ~~[\$25;]~~ \$50; and

42 (b) A cash bond or surety bond meeting the requirements of
43 NRS 240A.120 or proof that the applicant is covered by a bond filed
44 by a business entity pursuant to NRS 240A.123, unless the bond
45 previously filed by the registrant remains on file and in effect.



1 2. The registration of a registrant who holds a valid
2 Employment Authorization Document issued by the United States
3 Citizenship and Immigration Services of the Department of
4 Homeland Security must expire on the date on which that person's
5 employment authorization expires.

6 3. The Secretary of State may:

7 (a) Conduct any investigation of a registrant that the Secretary
8 of State deems appropriate.

9 (b) Require a registrant to submit a complete set of fingerprints
10 and written permission authorizing the Secretary of State to forward
11 the fingerprints to the Central Repository for Nevada Records of
12 Criminal History for submission to the Federal Bureau of
13 Investigation for its report.

14 4. After any investigation of the history of a registrant is
15 completed, unless the Secretary of State elects or is required to deny
16 renewal pursuant to this section or NRS 240A.270, the Secretary of
17 State shall renew the registration if the registrant is qualified for
18 registration and has complied with the requirements of this section.

19 **Sec. 4.** This act becomes effective on July 1, 2021.

