

9B.21 Commission as notary public — qualifications — no immunity or benefit.

1. An individual qualified under subsection 2 may apply to the secretary of state for a commission as a notary public. The applicant shall comply with and provide the information required by rules established by the secretary of state and pay an application fee of thirty dollars to the secretary of state. A person appointed as a notary public under subsection 4 is not subject to the fee imposed by this subsection.

2. An applicant for a commission as a notary public shall meet all of the following qualifications:

- a. Be at least eighteen years of age.
- b. Be a citizen or permanent legal resident of the United States.
- c. Be a resident of or have a place of employment or practice in this state.
- d. Be able to read and write English.
- e. Not be disqualified to receive a commission under section 9B.23.

3. Before issuance of a commission as a notary public, an applicant for the commission shall execute an oath of office and submit it to the secretary of state.

4. a. The secretary of state shall appoint members of the general assembly as notaries public, upon request, and may revoke an appointment for cause.

b. The secretary of state may appoint one or more employees of a state agency as a notary public to perform notarial acts associated with their positions, pursuant to conditions established by the secretary of state. As used in this paragraph, “state agency” means any executive, judicial, or legislative department, commission, board, institution, division, bureau, office, agency, or other entity of state government.

5. The secretary of state may appoint as a notary public a resident of a state bordering Iowa if that person’s place of work or business is within the state of Iowa. If a notary public who is a resident of a state bordering Iowa ceases to work or maintain a place of business in Iowa, the notary commission expires.

6. On compliance with this section, the secretary of state shall issue a commission as a notary public to an applicant for a term of three years. The term of a notarial officer who is a resident of a state bordering Iowa and whose place of work or business is in Iowa is one year. The term of a notary public who is a member of the general assembly is the member’s term of office. The term of a notary public who is an employee of a state agency designated to receive an appointment as provided in subsection 4 shall terminate at the end of employment.

7. A commission to act as a notary public authorizes the notary public to perform notarial acts. The commission does not provide the notary public any immunity or benefit conferred by law of this state on public officials or employees.

2012 Acts, ch 1050, §19, 60

Referred to in §9B.17

[T] Section takes effect January 1, 2013; 2012 Acts, ch 1050, §60

[T] NEW section