

BILL SUMMARY
Senate Bill 777, Printer's No. 790
Prime Sponsor: Stack

SUMMARY:

This legislation would permit military judge advocates and paralegal noncommissioned officers to serve as notaries public. They will not be able to charge fees for this service.

EXISTING LAW:

This bill amends a 1919 act governing judge advocates of the U.S. Army. Most states recognize high-ranking military officials as notaries, who serve as official witnesses to the identity or signature of a person who appears before them for an oath or signature. This proposal was Senate Bill 891 of the 2009-2010 session, which was reported out of committee but was never passed by the full Senate.

ANALYSIS:

This bill would validate all prior notarial acts performed by military judge advocates and paralegal noncommissioned officers. Paralegal noncommissioned officers are defined as enlisted military service members in the grade of E-5 or above who are assigned to a legal military occupational specialty. The bill would require all subsequent notarial acts to be received in evidence in the courts of the Commonwealth. It provides that the signature of a person acting as a notary is prima facie evidence that the person is authorized to perform a notarial act.

Many members of the military do not have easy access to notaries while deployed, as they attempt to execute official documents, ranging from PennDOT work, mortgages, wills, deeds and affidavits to contracts and powers of attorney.

EFFECTIVE DATE:

This act will take effect in 60 days.