

Assembly Bill No. 2217

CHAPTER 133

An act to amend Sections 8211 and 8223 of the Government Code, relating to notary public.

[Approved by Governor August 17, 2016. Filed with Secretary of State August 17, 2016.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2217, Hadley. Notary public: service fees.

Existing law authorizes the Secretary of State to appoint and commission notaries public in the number that the secretary deems necessary for the public convenience. Existing law prohibits fees charged by a notary public for certain services, including taking an acknowledgment or proof of a deed, from exceeding specified amounts.

This bill would increase those amounts, as specified.

The people of the State of California do enact as follows:

SECTION 1. Section 8211 of the Government Code is amended to read:
8211. Fees charged by a notary public for the following services shall not exceed the fees prescribed by this section.

(a) For taking an acknowledgment or proof of a deed, or other instrument, to include the seal and the writing of the certificate, the sum of fifteen dollars (\$15) for each signature taken.

(b) For administering an oath or affirmation to one person and executing the jurat, including the seal, the sum of fifteen dollars (\$15).

(c) For all services rendered in connection with the taking of any deposition, the sum of thirty dollars (\$30), and in addition thereto, the sum of seven dollars (\$7) for administering the oath to the witness and the sum of seven dollars (\$7) for the certificate to the deposition.

(d) No fee may be charged to notarize signatures on vote by mail ballot identification envelopes or other voting materials.

(e) For certifying a copy of a power of attorney under Section 4307 of the Probate Code the sum of fifteen dollars (\$15).

(f) In accordance with Section 6107, no fee may be charged to a United States military veteran for notarization of an application or a claim for a pension, allotment, allowance, compensation, insurance, or any other veteran's benefit.

SEC. 2. Section 8223 of the Government Code is amended to read:

8223. (a) A notary public who holds himself or herself out as being an immigration specialist, immigration consultant, or any other title or

description reflecting an expertise in immigration matters shall not advertise in any manner whatsoever that he or she is a notary public.

(b) A notary public qualified and bonded as an immigration consultant under Chapter 19.5 (commencing with Section 22440) of Division 8 of the Business and Professions Code may enter data, provided by the client, on immigration forms provided by a federal or state agency. The fee for this service shall not exceed fifteen dollars (\$15) per individual for each set of forms. If notary services are performed in relation to the set of immigration forms, additional fees may be collected pursuant to Section 8211. This fee limitation shall not apply to an attorney, who is also a notary public, who is rendering professional services regarding immigration matters.

(c) This section shall not be construed to exempt a notary public who enters data on an immigration form at the direction of a client, or otherwise performs the services of an immigration consultant, as defined by Section 22441 of the Business and Professions Code, from the requirements of Chapter 19.5 (commencing with Section 22440) of Division 8 of the Business and Professions Code. A notary public who is not qualified and bonded as an immigration consultant under Chapter 19.5 (commencing with Section 22440) of Division 8 of the Business and Professions Code may not enter data provided by a client on immigration forms nor otherwise perform the services of an immigration consultant.