

1 AN ACT relating to retired justices and judges.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 423.010 is amended to read as follows:

4 (1) The Secretary of State may appoint as many notaries public as he or she deems
5 necessary, who shall hold office for four (4) years. Any resident of the
6 Commonwealth of Kentucky desiring to be appointed a notary public shall make
7 written application to the Secretary of State. The application shall be approved by
8 the Circuit Judge, circuit clerk, county judge/executive, county clerk, justice of the
9 peace, or a member of the General Assembly of the county of the residence of the
10 applicant or in the county in which the applicant's principal place of employment is
11 located. A person who is not a resident of Kentucky but who is employed in
12 Kentucky may become a notary public by making an application to the Secretary of
13 State which has been approved by an officer specified in this section from the
14 county in which the applicant is principally employed in Kentucky. No officer shall
15 charge or accept any fee for approving the application. A notary public shall be
16 eighteen (18) years of age, a resident of the county from which he or she makes his
17 or her application or be principally employed in the county from which he or she
18 makes his or her application, of good moral character, and capable of discharging
19 the duties imposed upon him or her by this chapter, and the endorsement of the
20 officer approving the application shall so state. The Secretary of State, in his or her
21 certificate of appointment to the applicant, shall designate the limits within which
22 the notary is to act. Before a notary acts, he or she shall take an oath before any
23 person authorized to administer an oath as set forth in KRS 62.020 that he or she
24 will honestly and diligently discharge the duties of his or her office. He or she shall
25 in the same court give an obligation with good security, which shall be proven by a
26 notarized statement from, and not the personal appearance of, the person providing
27 the security, for the proper discharge of the duties of his or her office. Every

1 certificate of a notary public shall state the date of the expiration of his or her
2 commission. The Secretary of State shall give to each notary appointed a certificate
3 of his or her appointment under the seal of the Commonwealth of Kentucky in lieu
4 of a commission heretofore required to be issued to the notary by the Governor of
5 Kentucky, and receive a fee of ten dollars (\$10) for the certificate.

6 (2) A county clerk shall have the powers of a notary public in the exercise of the
7 official functions of the office of clerk within his or her county, and the official
8 actions of the county clerk shall not require the witness or signature of a notary
9 appointed pursuant to subsection (1) of this section.

10 **(3) A retired justice or judge of the Court of Justice, except those removed for cause**
11 **or convicted of a felony, shall have the powers of a notary public, and the official**
12 **actions of the retired justice or judge shall not require the witness or signature of**
13 **a notary appointed pursuant to subsection (1) of this section.**