

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.