

1 AN ACT relating to notarial acts.

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

3 ➔Section 1. KRS 423.345 is amended to read as follows:

- 4 (1) (a) A notarial act performed in another state has the same effect under the law of
5 this state as if performed by a notarial officer of this state, if the act performed
6 in that state is performed by:
- 7 1. A notary public of that state;
 - 8 2. A judge, clerk, or deputy clerk of a court of that state; or
 - 9 3. Any other individual authorized by the law of that state to perform the
10 notarial act.
- 11 (b) The signature and title of an individual performing a notarial act in another
12 state are prima facie evidence that the signature is genuine and that the
13 individual holds the designated title.
- 14 (c) The signature and title of a notarial officer described in paragraph (a) or (b) of
15 this subsection conclusively establish the authority of the officer to perform
16 the notarial act.
- 17 (2) **(a) A notarial act performed in another state has the same effect under the law**
18 **of this state if the act performed is:**
- 19 **1. By a notary public of this state; and**
 - 20 **2. In a civil action or legal proceeding originating in this state.**
- 21 **(b) The signature and title of an individual performing a notarial act in another**
22 **state are prima facie evidence that the signature is genuine and that the**
23 **individual holds the designated title.**
- 24 **(c) The signature and title of a notarial officer described in paragraph (a) or**
25 **(b) of this subsection shall conclusively establish the authority of the officer**
26 **to perform the notarial act.**
- 27 **(3)** (a) A notarial act performed under the authority and in the jurisdiction of a

1 federally recognized Indian tribe has the same effect as if performed by a
2 notarial officer of this state, if the act performed in the jurisdiction of the tribe
3 is performed by:

- 4 1. A notary public of the tribe;
- 5 2. A judge, clerk, or deputy clerk of a court of the tribe; or
- 6 3. Any other individual authorized by the law of the tribe to perform the
7 notarial act.

8 (b) The signature and title of an individual performing a notarial act under the
9 authority and in the jurisdiction of a federally recognized Indian tribe are
10 prima facie evidence that the signature is genuine and that the individual holds
11 the designated title.

12 (c) The signature and title of a notarial officer described in paragraph (a) or (b) of
13 this subsection conclusively establish the authority of the notarial officer to
14 perform the notarial act.

15 ~~(4)~~~~(3)~~ (a) A notarial act performed under the authority of federal law has the same
16 effect under the law of this state as if performed by a notarial officer of this
17 state, if the act performed under federal law is performed by:

- 18 1. A judge, clerk, or deputy clerk of a court;
- 19 2. An individual in military service or performing duties under the
20 authority of military service who is authorized to perform notarial acts
21 under federal law;
- 22 3. An individual designated a notarizing officer by the United States
23 Department of State for performing notarial acts overseas; or
- 24 4. Any other individual authorized by federal law to perform the notarial
25 act.

26 (b) The signature and title of an individual acting under federal authority and
27 performing a notarial act are prima facie evidence that the signature is genuine

- 1 and that the individual holds the designated title.
- 2 (c) The signature and title of an officer described in paragraph (a) or (b) of this
- 3 subsection conclusively establish the authority of the officer to perform the
- 4 notarial act.