

Chapter 194

1983 REPLACEMENT PART

Notaries Public

NOTARIES PUBLIC

- 194.005 Definition of commercial paper and good moral character
- 194.010 Appointment of notary public; term; qualifications; office may be nonlucrative; functions not official duties
- 194.020 Fee for application
- 194.031 Notarial seal or stamp; filing of sample imprint; effect of stamp; dating required
- 194.040 Record of commissions; Secretary of State's power to certify status and acts of notary
- 194.045 Recording of commission in counties; county clerk's power to certify status and acts of notary
- 194.063 Application for new commission
- 194.067 Grounds for revocation or denial of commission
- 194.070 Protesting commercial paper
- 194.090 Record of protest; effect as evidence
- 194.100 Powers of notary connected with corporation; limitations
- 194.110 Power to take acknowledgment
- 194.120 Faith and credit given acts of notary
- 194.130 Disposition of records on vacancy in office; penalty for failure to properly dispose of records or for destroying or altering records
- 194.140 County clerks to keep records and papers and furnish attested copies; effect of copies
- 194.150 Recovery of forfeitures
- 194.160 Schedule of notary fees
- 194.170 Mileage of notaries public
- 194.190 Advertising requirements for notaries not authorized to practice law
- 194.200 Damage action for violation of 194.190 or 194.310; civil penalty; recovery of expenses

PROHIBITED ACTS

- 194.310 False personation of notary and fraud or false certificate in exercise of powers prohibited
- 194.320 Removal from office for committing prohibited acts

- 194.330 Attorney General to investigate or prosecute violation; payment of expenses

UNIFORM LAW ON NOTARIAL ACTS

- 194.505 Definitions for 194.505 to 194.595
- 194.515 Notarial acts
- 194.525 Who may perform notarial acts; acts performed under federal authority
- 194.535 Notarial acts in other jurisdictions of the United States
- 194.545 Notarial acts under federal authority
- 194.555 Foreign notarial acts
- 194.565 Certificate of notarial acts
- 194.575 Short forms
- 194.585 Uniformity of application and construction
- 194.595 Short title

FUNDING

- 194.700 Notary Public Limitation Account

PENALTIES

- 194.990 Penalties

CROSS REFERENCES

Organized militia, members with general powers of notary public, 396.120, 399.150

194.010

Lucrative offices, Const. Art. II, §10

194.031

Effect of presence or absence of seal, 42.115

194.090

Telegraphic copies of notarized instruments as evidence, 165.580

194.110

Power of notary to administer oaths and take testimony, 44.320

NOTARIES PUBLIC

194.005 Definition of commercial paper; and good moral character. (1) As used in ORS 194.005 to 194.200, "commercial paper" means such instruments as are within the scope of ORS chapter 73, including drafts, checks, certificates of deposit and notes.

(2) As used in ORS 194.010 (3) and 194.063, "good moral character" is character other than that which reflects moral turpitude and conduct which would cause a reasonable person to have substantial doubts about an individual's honesty, fairness and respect for the rights of others and for the laws of the state and the nation. To be relevant to deciding whether a person is of "good moral character," conduct of questionable good moral character must be rationally connected to the applicant's fitness to be a notary public. [1967 c.541 §12; 1983 c.393 §12a]

194.010 Appointment of notary public; term; qualifications; office may be nonlucrative; functions not official duties.

(1) The Governor shall appoint notaries public for the term of four years unless the commission is revoked sooner by the Governor. A notary public may act throughout the state.

(2) Upon the appointment of a notary public, the Governor shall send the commission to the Secretary of State.

(3) Every person appointed as a notary public at the time of appointment must be 18 years of age or older, of good moral character and, for six months immediately prior to appointment, a resident of Oregon.

(4) Each notary public may file with the Secretary of State a statement waiving the fees prescribed in ORS 194.160; and in such case the office of notary public is considered nonlucrative.

(5) The functions of a notary public are not considered official duties under section 1, Article III of the Oregon Constitution. [Amended by 1961 c.498 §1; 1967 c.541 §1; subsection (2) enacted as 1967 c.541 §8; 1975 c.161 §3; 1977 c.128 §1; 1983 c.393 §13]

194.020 Fee for application. Each applicant for appointment as a notary public shall pay in advance to the Secretary of State a fee of \$20, which shall be deposited in the State Treasury and credited to the Notary Public Limitation Account, and is in lieu of any fee under ORS 177.130. [Amended by 1957 s.s. c.7 §1; 1967 c.541 §3; 1983 c.393 §16]

194.030 [Amended by 1961 c.498 §2; repealed by 1967 c.541 §5 (194.031 enacted in lieu of 194.030)]

194.031 Notarial seal or stamp; filing of sample imprint; effect of stamp; dating required. (1) Each notary public shall obtain an official seal or official stamp made of rubber or some other substance capable of making a legible imprint on paper in indelible black ink. The imprint made by the seal or stamp must set out the name of the notary and the words "Notary Public—Oregon," and may set out the date on which the commission expires. The imprint made by the seal or the stamp on the paper must be incapable of removal. The Secretary of State shall adopt rules prescribing the size and form of the imprint required under this section to promote uniformity, legibility and permanency.

(2) Before the notary public enters upon the duties of office of a notary public, each notary public shall file a sample imprint of the official seal or official stamp described in subsection (1) of this section, or both if the notary intends to use both in carrying out the duties of the office, together with the oath, with the Secretary of State.

(3) Notwithstanding any other law of this state, an impression made by an official stamp has the same force and effect as a seal.

(4) If the official stamp of the notary does not imprint the date on which the commission of the notary expires, the notary must indicate this date in some other manner as a part of each notarization or other official use of such stamp.

(5) The attempt to notarize an instrument required to be notarized shall be of no effect unless it bears an imprint of the seal or stamp of the notary who performed the notarization as required by subsection (1) of this section. [1967 c.541 §6 (enacted in lieu of 194.030); 1983 c.393 §17]

194.040 Record of commissions; Secretary of State's power to certify status and acts of notary. The Secretary of State shall keep a record of each commission and promptly forward the commission to the appointee. The Secretary of State may certify as to the term of office of such notary public and the genuineness of the signature and imprint upon all instruments requiring such certificates. [Amended by 1967 c.541 §9; 1983 c.393 §18]

194.045 Recording of commission in counties; county clerk's power to certify status and acts of notary. (1) A duly commissioned notary public may record the notary public's commission with any county clerk of the state in the following manner:

(a) The notary public shall, in person, present the commission to the county clerk for inspection.

(b) The notary public shall file with the county clerk a specimen of the notary's signature with an impression of the notary's official seal or imprint of the notary's official stamp.

(c) The notary public shall pay the fee established by the county clerk under ORS 205.320 (11) for this recording.

(2) In recording a notary public commission as provided in subsection (1) of this section, the county clerk shall, in a special file, note the name and address of the notary, a specimen of the notary's signature, the impression of the notary's official seal or imprint of the notary's official stamp and the effective and expiration dates of the commission.

(3) The county clerk may certify as to the term of office of a notary public who has recorded a commission as provided in subsections (1) and (2) of this section and attest to the genuineness of the notary's signature and imprint upon all instruments requiring such certificates. [1969 c.394 §§2, 3, 4; 1977 c.641 §1; 1983 c.393 §19]

194.050 [Amended by 1961 c.498 §3; 1967 c.541 §4; repealed by 1983 c.393 §26]

194.060 [Repealed by 1967 c.541 §22]

194.063 Application for new commission. Upon the expiration of a commission, a notary public may apply for a new commission in the manner provided by ORS 194.005 to 194.200, and subject to the qualifications prescribed therein. However, unless otherwise required by the Governor, such an application need not be accompanied by proof of good moral character or continued residence in this state. Upon applying for a new commission, the notary public shall file a sample imprint of the official seal or official stamp obtained for use in the performance of the official duties of a notary public in accordance with ORS 194.031. [1967 c.541 §11; 1977 c.128 §2, 1983 c.393 §21]

194.067 Grounds for revocation or denial of commission. The Governor may revoke the commission of a notary public, or deny an application for such a commission, if the applicant or notary public:

(1) Has failed to maintain the qualifications required under ORS 194.005 to 194.200 for his appointment.

(2) Has been convicted of a felony or a misdemeanor involving moral turpitude.

(3) Has used officially a stamp or other device making an imprint or impression that does not conform to ORS 194.031 or to the rules of the Secretary of State promulgated thereunder. [1967 c.541 §18]

194.070 Protesting commercial paper. Each notary public who protests any commercial paper shall take such actions as are required by ORS 73.5090. [Amended by 1967 c.541 §13]

194.080 [Repealed by 1967 c.541 §22]

194.090 Record of protest; effect as evidence. Each notary public shall cause a record to be kept of all protests of commercial paper made by him under ORS 73.5090. Such record is competent evidence to prove notice of dishonor for purposes of ORS 73.5100. [Amended by 1967 c.541 §14]

194.100 Powers of notary connected with corporation; limitations. (1) A notary public who is a stockholder, director, officer or employe of a bank or trust company or other corporation may:

(a) Take the acknowledgment of any party to any written instrument executed to or by such corporation;

(b) Administer an oath to any other stockholder, director, officer, employe or agent of such corporation; and

(c) Protest commercial paper owned or held for collection by such corporation.

(2) A notary public shall not:

(a) Take the acknowledgment of an instrument executed by or to a bank or trust company or other corporation of which he is a stockholder, director, officer or employe, if the notary is a party to such instrument, either individually or as a representative of such corporation; or

(b) Protest any commercial paper owned or held for collection by such corporation, if the notary is individually a party to the instrument. [Amended by 1967 c.541 §15]

194.110 Power to take acknowledgment. Notaries public may take acknowledgments of deeds.

194.120 Faith and credit given acts of notary. Full faith and credit shall be given to all the protestations, attestations and other instruments of publication of all notaries public appointed under ORS 194.010. [Amended by 1961 c.498 §4]

194.130 Disposition of records on vacancy in office; penalty for failure to properly dispose of records or for destroying or altering records. (1) Whenever the office of a notary public becomes vacant, the record referred to in ORS 194.090 kept by the notary public, together with all the papers relating to such record, shall be deposited in the

office of the Secretary of State. Any notary public neglecting for the space of three months after his resignation or removal from office to deposit such record and papers in the Secretary of State's office, or any executor or administrator of a deceased notary public neglecting for the space of three months after the acceptance of that trust to lodge in the Secretary of State's office such record and papers as come into his hands, shall forfeit not more than \$500.

(2) If any person knowingly destroys, defaces, materially alters or conceals any record or paper of a notary public, he shall forfeit not more than \$500, and shall be liable to an action for damages by the party injured. [Amended by 1967 c.541 §19]

194.140 County clerks to keep records and papers and furnish attested copies; effect of copies. Each county clerk shall receive and keep safe all the records and papers directed by this chapter to be deposited in his office and shall give attested copies of any of the records or papers when required. Copies so given by the clerk are as valid as if given by the notaries public.

194.150 Recovery of forfeitures. All forfeitures under ORS 194.130 shall be recovered in a civil action in any court having jurisdiction of the same in the county where the notary public resides. One-half shall be paid to the person bringing the action and one-half shall be paid to the State Treasurer to be credited to the General Fund. [Amended by 1967 c.541 §20]

194.160 Schedule of notary fees. The fees of notaries public shall be as follows:

- (1) Attesting any written instrument, \$1.
- (2) Certifying and taking an affidavit, and all certificates, \$1.
- (3) Taking the acknowledgment of any deed or other instrument of writing, \$1.
- (4) Making and taking proof of any legal instrument, for each page, 25 cents.
- (5) Taking depositions, each page, 25 cents.
- (6) Administering an oath, 25 cents.
- (7) Protesting commercial paper, \$1; except that no fees shall be allowed for protesting a check because of the insolvency of the bank upon which the check was written. [Amended by 1967 c.541 §16]

194.170 Mileage of notaries public. Every notary public whose fees are prescribed in ORS 194.160 who is required to travel in order to execute or perform duties as a notary public, in

addition to the fees prescribed in ORS 194.160, shall be entitled to mileage at the rate of 21 cents a mile, and no more, in going to and returning from the place where the service is performed.

[Amended by 1983 c.393 §20]

194.180 [1961 c.91 §1; repealed by 1971 c.250 §1]

194.190 Advertising requirements for notaries not authorized to practice law.

(1) A notary public who is not licensed to practice law in this state and who advertises services as a notary public shall include in the advertisement, if any part of the advertisement is in a language other than English, a notice in English and the other language setting forth:

(a) The fees that a notary public may charge; and

(b) The statement "I am not an attorney licensed to practice law in the State of Oregon and I am not permitted to give legal advice or to accept fees for legal advice."

(2) A notary public who is not licensed to practice law in this state and who offers notary public services in a language other than English shall post in a conspicuous place in the notary public's place of business the notice described in subsection (1) of this section. [1983 c.506 §3] —

194.200 Damage action for violation of 194.190 or 194.310; civil penalty; recovery of expenses. In addition to other remedies provided by law:

(1) A person injured by a violation of any provision of ORS 194.190 or 194.310 may bring an individual action in an appropriate court to recover actual damages or \$200, whichever is greater. The court or the jury, as the case may be, may award punitive damages and the court may provide such equitable relief as it deems necessary or proper. The court may award, in addition to the relief provided in this subsection, reasonable attorney fees at trial and on appeal and costs. If the defendant prevails, the court may award reasonable attorney fees at trial and on appeal and costs if it finds the action to be frivolous.

(2) The Governor or any private individual injured by a violation of any provision of ORS 194.190 or 194.310 may bring a civil suit to enjoin the violation. In addition to any other remedies awarded by the court, the prevailing party may be awarded attorney fees and costs and disbursements.

(3) In addition to any other penalty which may be imposed by law for a violation of any provision of ORS 194.190 or 194.310, the Governor after a hearing conducted under ORS

183.310 to 183.550 may impose a civil penalty of not more than \$1,500 for each violation.

(4) Notwithstanding ORS 180.070 (3), expenses incurred by the Governor or Attorney General under subsections (2) and (3) of this section shall be paid from the Notary Public Limitation Account established under ORS 194.700. [1983 c.506 §4]

194.210 [Repealed by 1969 c.394 §5]

194.220 [Repealed by 1969 c.394 §5]

PROHIBITED ACTS

194.310 False personation of notary and fraud or false certificate in exercise of powers prohibited. (1) A person shall not purport to be entitled to act as a notary public, or assume, use or advertise the title of notary public, or equivalent terms in any language, in such a manner as to convey the impression that the person is a notary public when the person is not a duly appointed, qualified and acting notary public.

(2) A person shall not use the term "notario publico" or any other translation of the title of notary public in a manner which misrepresents the authority of a notary public qualified under ORS 194.005 to 194.200.

(3) A notary public, in the exercise of the powers or in the performance of duties, shall not practice any fraud or deceit, or wilfully make any false certificate, acknowledgment or jurat.

(4) A notary public shall not engage in the practice of law or purport to have authority to engage in the practice of law by virtue of being a notary public. [Amended by 1961 c.498 §5; 1981 c.11 §4; 1983 c.506 §1]

194.320 Removal from office for committing prohibited acts. The clerk of the court in which a conviction for acts prohibited by ORS 194.310 is had shall forthwith transmit to the Governor of Oregon a duly certified copy of the judgment, which is sufficient grounds for the removal of the convicted notary public.

[Amended by 1981 c.11 §5]

194.330 Attorney General to investigate or prosecute violation; payment of expenses. If, in the opinion of the Governor, any alleged violation of ORS 194.310 is not being investigated or prosecuted, the Governor may direct the Attorney General to take full charge of the investigation or prosecution. If so directed, the Attorney General shall take full charge of the investigation or prosecution and the provisions of ORS 180.070, 180.080 and 180.090 shall apply.

Notwithstanding ORS 180.070 (3), expenses associated with the Attorney General's investigation or prosecution shall be paid from the Notary Public Limitation Account established by ORS 194.700. [1983 c.393 §23]

194.410 [Amended by 1963 c.428 §1; repealed by 1977 c.404 §2 (194.500 to 194.580 enacted in lieu of 194.410)]

194.420 [Repealed by 1977 c.404 §2 (194.500 to 194.580 enacted in lieu of 194.420)]

194.430 [Repealed by 1977 c.404 §2 (194.500 to 194.580 enacted in lieu of 194.430)]

UNIFORM LAW ON NOTARIAL ACTS

194.500 [1977 c.404 §11 (enacted in lieu of 45.125, 93.415, 93.430, 93.490, 93.500, 93.510, 93.520, 194.410, 194.420 and 194.430); repealed by 1983 c.393 §26]

194.505 Definitions for 194.505 to 194.595. As used in ORS 194.505 to 194.595:

(1) A "notarial act" is any act that a notary public of this state is authorized to perform, and includes taking an acknowledgment, administering an oath or affirmation, taking a verification upon oath or affirmation, witnessing or attesting a signature, certifying or attesting a copy and noting a protest of a negotiable instrument.

(2) An "acknowledgment" is a statement by a person that the person has executed an instrument for the purposes stated therein and, if the instrument is executed in a representative capacity, that the person signed the instrument with proper authority and executed it as the act of the person or entity represented and identified therein.

(3) A "verification upon oath or affirmation" is a statement by a person who asserts it to be true and makes the assertion upon oath or affirmation.

(4) "In a representative capacity" means:

(a) For and on behalf of a corporation, partnership, trust or other entity, as an authorized officer, agent, partner, trustee or other representative;

(b) As a public officer, personal representative, guardian or other representative, in the capacity recited in the instrument;

(c) As an attorney-in-fact for a principal; or

(d) In any other capacity as an authorized representative of another.

(5) "Notarial officer" means a notary public or any other officer authorized to perform notarial acts. [1983 c.393 §2]

194.510 [1977 c.404 §10 (enacted in lieu of 45.125, 93.415, 93.430, 93.490, 93.500, 93.510, 93.520, 194.410, 194.420 and 194.430); repealed by 1983 c.393 §26]

194.515 Notarial acts. (1) In taking an acknowledgment, the notarial officer must determine, either from personal knowledge or from satisfactory evidence, that the person appearing before the officer and making the acknowledgment is the person whose true signature is on the instrument.

(2) In taking a verification upon oath or affirmation, the notarial officer must determine, either from personal knowledge or from satisfactory evidence, that the person appearing before the officer and making the verification is the person whose true signature is on the statement verified.

(3) In witnessing or attesting a signature the notarial officer must determine, either from personal knowledge or from satisfactory evidence, that the signature is that of the person appearing before the officer and named therein.

(4) In certifying or attesting a copy of a document or other item, the notarial officer must determine that the proffered copy is a full, true and accurate transcription or reproduction of that which was copied.

(5) In making or noting a protest of a negotiable instrument a notarial officer must determine the matters set forth in ORS 73.5090.

(6) A notarial officer has satisfactory evidence that a person is the person whose true signature is on a document if that person (a) is personally known to the notarial officer, (b) is identified upon the oath or affirmation of a credible witness personally known to the notarial officer or (c) is identified on the basis of identification documents. [1983 c.393 §5]

194.520 [1977 c.404 §3 (enacted in lieu of 45.125, 93.415, 93.430, 93.490, 93.500, 93.510, 93.520, 194.410, 194.420 and 194.430); repealed by 1983 c.393 §26]

194.525 Who may perform notarial acts; acts performed under federal authority. (1) A notarial act may be performed within this state by the following persons:

(a) A notary public of this state; or

(b) A judge, clerk or deputy clerk of any court of this state.

(2) Notarial acts performed within this state under federal authority as provided in ORS 194.545 have the same effect as if performed by a notarial officer of this state.

(3) The signature and title of a person performing a notarial act are prima facie evidence that the signature is genuine and that the person

holds the designated title. [1983 c.393 §4]

194.530 [1977 c.404 §4 (enacted in lieu of 45.125, 93.415, 93.430, 93.490, 93.500, 93.510, 93.520, 194.410, 194.420 and 194.430); repealed by 1983 c.393 §26]

194.535 Notarial acts in other jurisdictions of the United States. (1) A notarial act has the same effect under the law of this state as if performed by a notarial officer of this state, if performed in another state, commonwealth, territory, district or possession of the United States by any of the following persons:

(a) A notary public of that jurisdiction;

(b) A judge, clerk or deputy clerk of a court of that jurisdiction; or

(c) Any other person authorized by the law of that jurisdiction to perform notarial acts.

(2) Notarial acts performed in other jurisdictions of the United States under federal authority as provided in ORS 194.545 have the same effect as if performed by a notarial officer of this state.

(3) The signature and title of a person performing a notarial act are prima facie evidence that the signature is genuine and that the person holds the designated title.

(4) The signature and title of an officer listed in paragraph (a) or (b) of subsection (1) of this section conclusively establish the authority of a holder of that title to perform a notarial act. [1983 c.393 §5]

194.540 [1977 c.404 §5 (enacted in lieu of 45.125, 93.415, 93.430, 93.490, 93.500, 93.510, 93.520, 194.410, 194.420 and 194.430); repealed by 1983 c.393 §26]

194.545 Notarial acts under federal authority. (1) A notarial act has the same effect under the law of this state as if performed by a notarial officer of this state if performed anywhere by any of the following persons under authority granted by the law of the United States:

(a) A judge, clerk or deputy clerk of a court;

(b) A commissioned officer on active duty with the military services of the United States;

(c) An officer of the foreign service or consular officer of the United States; or

(d) Any other person authorized by federal law to perform notarial acts.

(2) The signature and title of a person performing a notarial act are prima facie evidence that the signature is genuine and that the person holds the designated title.

(3) The signature and title of an officer listed in paragraphs (a) to (c) of subsection (1) of this section conclusively establish the authority of a

holder of that title to perform a notarial act.
[1983 c.393 §6]

194.550 [1977 c.404 §6 (enacted in lieu of 45.125, 93.415, 93.430, 93.490, 93.500, 93.510, 93.520, 194.410, 194.420 and 194.430); repealed by 1983 c.393 §26]

194.555 Foreign notarial acts. (1) A notarial act has the same effect under the law of this state as if performed by a notarial officer of this state if performed within the jurisdiction of and under authority of a foreign nation or its constituent units or a multinational or international organization by any of the following persons:

- (a) A notary public or notary;
- (b) A judge, clerk or deputy clerk of a court of record; or
- (c) Any other person authorized by the law of that jurisdiction to perform notarial acts.

(2) An "Apostille" in the form prescribed by the Hague Convention of October 5, 1961, conclusively establishes that the signature of the notarial officer is genuine and that the officer holds the designated office.

(3) A certificate by a foreign service or consular officer of the United States stationed in the nation under the jurisdiction of which the notarial act was performed, or a certificate by a foreign service or consular officer of that nation stationed in the United States, conclusively establishes any matter relating to the authenticity or validity of the notarial act set forth in the certificate.

(4) An official stamp or seal of the person performing the notarial act is prima facie evidence that the signature is genuine and that the person holds the designated title.

(5) An official stamp or seal of an officer listed in paragraph (a) or (b) of subsection (1) of this section is prima facie evidence that a person with that title has authority to perform notarial acts.

(6) If the title of office and indication of authority to perform notarial acts appears either in a digest of foreign law or in a list customarily used as a source for that information, it conclusively establishes the authority of an officer with that title to perform notarial acts. [1983 c.393 §7]

194.560 [1977 c.404 §7 (enacted in lieu of 45.125, 93.415, 93.430, 93.490, 93.500, 93.510, 93.520, 194.410, 194.420 and 194.430); repealed by 1983 c.393 §26]

194.565 Certificate of notarial acts. (1) A notarial act must be evidenced by a certificate signed and dated by a notarial officer. The certificate must include identification of the

jurisdiction in which the notarial act is performed and the title of the office the notarial officer holds and may include the official stamp or seal of office. If the officer is a notary public, the certificate must also indicate the date of expiration, if any, of the commission of office, but omission of that information may subsequently be corrected. If the officer is a commissioned officer on active duty with the military services of the United States, it must also include the officer's rank.

(2) A certificate of a notarial act is sufficient if it meets the requirements of subsection (1) of this section and it:

- (a) Is in the short form set forth in ORS 194.575;
 - (b) Is in a form otherwise prescribed by the law of this state;
 - (c) Is in a form prescribed by the laws or regulations applicable in the place in which the notarial act was performed; or
 - (d) Sets forth the actions of the notarial officer and those are sufficient to meet the requirements of the designated notarial act.
- (3) By executing a certificate of a notarial act, the notarial officer certifies that the officer has made the determinations required by ORS 194.515. [1983 c.393 §8]

194.570 [1977 c.404 §8 (enacted in lieu of 45.125, 93.415, 93.430, 93.490, 93.500, 93.510, 93.520, 194.410, 194.420 and 194.430); repealed by 1983 c.393 §26]

194.575 Short forms. The following short form certificates of notarial acts are sufficient for the purposes indicated, if completed with the information required by ORS 194.565 (1):

(1) For an acknowledgment in an individual capacity:

State of _____
County of _____
This instrument was acknowledged before me on _____ (date) by _____ (name(s) of person(s))

(Signature of notarial officer)
(Seal, if any)

Title (and Rank)
My commission expires: _____

(2) For an acknowledgment in a representative capacity:

State of _____
County of _____
This instrument was acknowledged before me on _____ (date) by _____

_____ (name(s) of person(s)) as _____ (type of authority, e.g., officer, trustee, etc.) of _____ (name of party on behalf of whom instrument was executed.)

(Signature of notarial officer)
(Seal, if any)

Title (and Rank)
My commission expires: _____

(3) For a verification upon oath or affirmation:

State of _____
County of _____

Signed and sworn to (or affirmed) before me on _____ (date) by _____ (name(s) of person(s) making statement)

(Signature of notarial officer)
(Seal, if any)

Title (and Rank)
My commission expires: _____

(4) For witnessing or attesting a signature:

State of _____
County of _____

Signed or attested before me on _____ (date) by _____ (name(s) of person(s))

(Signature of notarial officer)
(Seal, if any)

Title (and Rank)
My commission expires: _____

(5) For attestation of a copy of a document:

State of _____
County of _____

I certify that this is a true and correct copy of a document in the possession of _____

Dated: _____

(Signature of notarial officer)
(Seal, if any)

Title (and Rank)
My commission expires: _____

[1983 c.393 §9]

194.580 [1977 c.404 §9 (enacted in lieu of 45.125, 93.415, 93.430, 93.490, 93 500, 93.510, 93.520, 194.410, 194.420 and 194.430); repealed by 1983 c.393 §26]

194.585 Uniformity of application and construction. ORS 194.505 to 194.575 shall be applied and construed to effectuate its general purpose to make uniform the law with respect to the subject of ORS 194.505 to 194.575 among states enacting it. [1983 c.393 §11]

194.595 Short title. ORS 194.505 to 194.595 may be cited as the Uniform Law on Notarial Acts. [1983 c.393 §12]

FUNDING

194.700 Notary Public Limitation Account. (1) The Notary Public Limitation Account is established in the General Fund of the State Treasury. All moneys received by the Secretary of State under this chapter shall be paid into the State Treasury and credited to the account. Such moneys are continuously appropriated and shall be used only for the administration and enforcement of this chapter.

(2) In order to facilitate financing the necessary costs of performing the duties under this chapter, the Secretary of State may transfer to the Notary Public Limitation Account such amounts considered necessary, not to exceed \$50,000, from biennial appropriations to the Secretary of State. The funds so transferred shall be retransferred from the Notary Public Limitation Account to the appropriation from which the original transfer was made prior to the last day of each biennium. [1983 c.393 §15]

PENALTIES

194.990 Penalties. If punishment therefor is not otherwise provided for, violation of ORS 194.310 is a misdemeanor. [Amended by 1967 c.541 §21]

CHAPTERS 195 AND 196
[Reserved for expansion]

