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LC004546/SUB A/3
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2016

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A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT - NOTARIES PUBLIC AND JUSTICES OF THE PEACE

Introduced By: Senators Pearson, and Lombardo

Date Introduced: February 25, 2016

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 42-30-5 of the General Laws in Chapter 42-30 entitled "Notaries
2 Public and Justices of the Peace" is hereby amended to read as follows:

3 **42-30-5. Application for appointment.** -- (a) Application. - Any ~~qualified elector~~
4 individual of this state desiring to be appointed a notary public, or a justice of the peace, shall
5 make written application to the governor over his or her own signature, ~~stating that he or she is a~~
6 ~~qualified elector who is an actual resident of the state of Rhode Island.~~

7 (b) ~~Qualification as an elector of the state at the time of making application is to be~~
8 ~~certified to by a member of the board of canvassers and registration, in cities having such boards,~~
9 ~~or by the city or town clerk of the city or town in which the applicant claims a right to vote, and~~
10 ~~except for members of the bar of this state, the member of the board of canvassers and~~
11 ~~registration or the city or town clerk shall satisfy himself or herself that the~~

12 Qualifications of applicants. - (1) Person qualified for a notary public commission shall
13 be at least eighteen (18) years of age and reside legally or conduct business on a regular basis
14 within Rhode Island.

15 (2) The applicant for appointment to the office of notary public or justice of the peace ~~can~~
16 must speak, read, and write the English language and ~~has~~ have sufficient knowledge of the
17 powers and duties pertaining to that office.

18

1 (c) [Attorneys and accountants.](#) - A member of the Rhode Island bar, and certified public
2 accountants under § 5-3.1-5, shall, regardless of residence, be appointed a notary public upon
3 application and presentment of a certified copy of his or her certificate of admission to the bar or
4 certificate of public accountancy.

5 (d) Any such person making written application to be appointed a notary public or
6 justice of the peace shall, at the time of application, pay to the secretary of state the sum of eighty
7 dollars (\$80.00).

8 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT - NOTARIES PUBLIC AND
JUSTICES OF THE PEACE

1 This act would make the Rhode Island notary and justice of the peace applications
2 conform to Massachusetts law and allow non-residents to apply. The act would also establish
3 additional qualifications to be a notary public.

4 This act would take effect upon passage.

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