

SENATE BILL NO. 232

INTRODUCED BY KEATING, NATHE, GILBERT

IN THE SENATE

JANUARY 25, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON JUDICIARY.
	FIRST READING.
FEBRUARY 3, 1989	COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
FEBRUARY 4, 1989	PRINTING REPORT.
FEBRUARY 7, 1989	SECOND READING, DO PASS.
FEBRUARY 8, 1989	ENGROSSING REPORT.
FEBRUARY 9, 1989	THIRD READING, PASSED. AYES, 50; NOES, 0.
	TRANSMITTED TO HOUSE.

IN THE HOUSE

FEBRUARY 9, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON STATE ADMINISTRATION.
FEBRUARY 20, 1989	FIRST READING.
MARCH 8, 1989	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
MARCH 11, 1989	SECOND READING, CONCURRED IN.
MARCH 13, 1989	THIRD READING, CONCURRED IN. AYES, 89; NOES, 6.
	RETURNED TO SENATE.

MARCH 14, 1989

IN THE SENATE

RECEIVED FROM HOUSE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 *Senate* BILL NO. *232*  
2 INTRODUCED BY *NATHAN Gilbert*  
3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO ACKNOWLEDGE NOTARIAL  
5 ACTS PERFORMED FOR USE IN MONTANA BY A NOTARY PUBLIC  
6 AUTHORIZED BY ANY JURISDICTION TO PERFORM NOTARIAL ACTS; AND  
7 AMENDING SECTIONS 1-5-101 AND 1-5-102, MCA."

8  
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 **Section 1.** Section 1-5-101, MCA, is amended to read:

11 "1-5-101. By whom and where acknowledgments may be  
12 taken. (1) The proof of acknowledgment of an instrument may  
13 be made at any place within this state before a justice or  
14 clerk of the supreme court or a judge of the district court.

15 (2) The proof of acknowledgment of an instrument may  
16 be made in this state within the city, county, or district  
17 for which the officer was elected or appointed, before  
18 either:

19 (a) a clerk of a court of record;

20 (b) a county clerk;

21 (c) a notary public authorized by any jurisdiction to  
22 perform notarial acts;

23 (d) a justice of the peace; or

24 (e) a United States commissioner."

25 **Section 2.** Section 1-5-102, MCA, is amended to read: •

1 "1-5-102. Acknowledgments taken-outside-this-state of  
2 notarial acts. The proof of acknowledgment of an instrument  
3 may be made-outside-this-state-but-within-the-United--States  
4 and--within--the--jurisdiction-of-the-officer, performed for  
5 use in this state with the same effect as if performed by a  
6 notary public in this state before:

7 (1) a justice, judge, or clerk of any court of record  
8 of the United States;

9 (2) a justice, judge, or clerk of any court of record  
10 of any state or territory;

11 (3) a notary public authorized by any jurisdiction to  
12 perform notarial acts; or

13 (4) any other officer of the state or territory where  
14 the acknowledgment is made, authorized by its laws to take  
15 such proof or acknowledgment."

-End-

APPROVED BY COMMITTEE  
ON JUDICIARY

1 *Senate* BILL NO. *232*  
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-End-

THIRD READING  
SB 232

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A BILL FOR AN ACT ENTITLED: "AN ACT TO ACKNOWLEDGE NOTARIAL ACTS PERFORMED FOR USE IN MONTANA BY A NOTARY PUBLIC AUTHORIZED BY ANY JURISDICTION TO PERFORM NOTARIAL ACTS; AND AMENDING SECTIONS 1-5-101 AND 1-5-102, MCA."

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(2) a justice, judge, or clerk of any court of record of any state or territory;

(3) a notary public authorized by any jurisdiction to perform notarial acts; or

(4) any other officer of the state or territory where the acknowledgment is made, authorized by its laws to take such proof or acknowledgment."

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