

## CHAPTER 50. NOTARIES PUBLIC

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**Revisor's notes.** In 1971 "lieutenant governor" was substituted for "secretary of state" in this chapter to conform with the 1970 amendment to the state constitution.

**Cross references.** For a provision directing that AS 44.50.010, reenacted in 2005, and AS

44.50.032, 44.50.033, 44.50.035, 44.50.036, 44.50.037, and 44.50.039, enacted in 2005, do not apply to a notary public whose commission is in effect on June 30, 2005, until the notary public's term of office expires under former AS 44.50.030, the notary public resigns under AS 44.50.067, or the notary public's commission is revoked under AS 44.50.068, see § 15(a), ch. 60, SLA 2005, in the 2005 Temporary and Special Acts.

**Legislative history reports.** For governor's transmittal letter for ch. 60, SLA 2005 (HB 97), relating to notaries public, see 2005 House Journal 131.

**Cross references.** For provisions governing oaths, acknowledgments, and related matters, see AS 09.63.

#### **Sec. 44.50.010. Notary public commission; term.**

(a) The lieutenant governor may commission for the state

(1) notaries public without limitation, who are authorized to use the notary seal for all legal purposes; and

(2) limited governmental notaries public, who are state, municipal, or federal employees authorized to use the notary seal only for official government business.

(b) The term of a notary public commission is four years, except that the term of a limited governmental notary public commission coincides with the term of government employment.

(c) A person who is a state, municipal, or federal employee commissioned as a limited governmental notary public may also be commissioned as a notary public without limitation.

(§ 1 ch 99 SLA 1961; am § 7 ch 60 SLA 2005)

**Effect of amendments.** The 2005 amendment, effective July 1, 2005, rewrote this section.

**Collateral references.** 58 Am. Jur. 2d, Notaries Public, §§ 1 to 23.

66 C.J.S., Notaries, § 4.

#### **Sec. 44.50.020. Qualifications.**

To be commissioned as a notary public, a person

(1) shall submit an application under AS 44.50.032;

(2) shall be at least 18 years of age;

(3) shall have established residency in this state under AS 01.10.055;

(4) shall reside legally in the United States;

(5) may not, within 10 years before the commission takes effect, have been convicted of a felony or incarcerated in a correctional facility for a felony conviction;

(6) may not, within 10 years before the commission takes effect,

(A) have had the person's notary public commission revoked under AS 44.50.068(a)(2) or (4) or under the notary public laws of another jurisdiction for a substantially similar reason;

(B) have had the person's notary public commission revoked under AS 44.50.068(a)(3), unless the person has reestablished residency in this state under AS 01.10.055 before the person submits the application;

(C) have been disciplined under AS 44.50.068 if, at the time the person applies for a notary public commission under this chapter, the disciplinary action prohibits the person from holding a notary public commission; or

(D) have been disciplined under the notary public laws of another jurisdiction if, at the time the person applies for a notary public commission under this chapter, the disciplinary action prohibits the person from holding a notary public commission; and

(7) shall meet the other requirements in this chapter to be commissioned as a notary public.

(§ 2 ch 99 SLA 1961; am § 1 ch 79 SLA 1972; am § 1 ch 160 SLA 1976; am § 8 ch 60 SLA 2005)

**Effect of amendments.** The 2005 amendment, effective July 1, 2005, rewrote this section.

**Collateral references.** 58 Am. Jur. 2d, Notaries Public, §§ 15 to 23.

66 C.J.S., Notaries, § 4.

**Sec. 44.50.030. Term of office. [Repealed, § 14 ch 60 SLA 2005].**

**Sec. 44.50.032. Application.**

(a) A person applying for a commission as a notary public shall submit a completed application as required by this section, using the forms or format required by the lieutenant governor.

(b) A completed application for a commission under AS 44.50.010(a)(1) must include

(1) an affirmation that the applicant meets the qualifications set out in AS 44.50.020(2) - (6);

(2) the applicant's mailing and physical addresses; the applicant's telephone number, if any;

the applicant's employer or business; the physical address and telephone number of the applicant's employer or business at the location where the applicant works; and an electronic mailing address, if any, where the applicant can be contacted;

(3) information concerning any denial, suspension, revocation, or restriction of the applicant's commission as a notary public in this state or another jurisdiction; that information must include

(A) identification of the jurisdiction;

(B) the date the jurisdiction issued the denial, suspension, revocation, or restriction;

(C) the reasons for the denial, suspension, revocation, or restriction; and

(D) information concerning final resolution of the matter;

(4) the applicant's notarized signature on the portion of the application that contains the oath or affirmation required by AS 44.50.035;

(5) the fee required by AS 44.50.033; and

(6) the bond required by AS 44.50.034.

(c) A completed application for a commission under AS 44.50.010(a)(2) must include

(1) a signed statement by the applicant's government employer that the commission is needed for the purpose of conducting official government business;

(2) the applicant's mailing and physical addresses; the applicant's telephone number, if any; the applicant's employer; the name, address, and telephone number for the employer where the applicant works; and an electronic mailing address, if any, where the applicant can be contacted;

(3) the affirmation, information, and signature required by (b)(1), (3), and (4) of this section; and

(4) the fee required by AS 44.50.033.

(§ 9 ch 60 SLA 2005)

**Effective dates.** Section 18, ch. 60, SLA 2005 makes this section effective July 1, 2005.

### **Sec. 44.50.033. Application fee.**

A person applying for a commission as a notary public shall pay a nonrefundable application fee of \$40. However, an applicant for a limited governmental notary public commission under AS 44.50.010(a)(2) who is employed by the state may not be required to pay an application fee.

(§ 9 ch 60 SLA 2005)

**Effective dates.** Section 18, ch. 60, SLA 2005 makes this section effective July 1, 2005.

**Sec. 44.50.034. Bond.**

(a) A person applying for a commission as a notary public without limitation under AS 44.50.010(a)(1) shall execute an official bond of \$1,000 and submit the bond with the application under AS 44.50.032. The bond must be for a term of four years from the date of commission.

(b) The lieutenant governor shall keep a bond submitted under this section for two years after the end of the term of the commission for which the bond was issued. Disposition of the bond after the end of the commission does not affect the time for commencing an action on the bond.

(§ 9 ch 60 SLA 2005)

**Effective dates.** Section 18, ch. 60, SLA 2005 makes this section effective July 1, 2005.

**Sec. 44.50.035. Oath.**

The application required by the lieutenant governor under AS 44.50.032 must contain an oath or affirmation, in the form set out in AS 39.05.045, to be signed by the applicant. A signed oath or affirmation submitted in an application under AS 44.50.032 takes effect on the date of the applicant's commission as a notary public under this chapter.

(§ 9 ch 60 SLA 2005)

**Effective dates.** Section 18, ch. 60, SLA 2005 makes this section effective July 1, 2005.

**Sec. 44.50.036. Denial of applications.**

The lieutenant governor shall deny an application for a notary public commission if the

(1) applicant does not meet the requirements of this chapter;

(2) application is not complete or contains a material misstatement or omission of fact relating to the requirements for a commission under this chapter;

(3) applicant has, within 10 years before the commission is to take effect, been convicted of a felony or incarcerated in a correctional facility for a felony conviction; or

(4) applicant's commission as a notary public has been revoked, within 10 years before the commission is to take effect, in

(A) this state for a reason stated in

(i) AS 44.50.068(a)(2) or (4);

(ii) AS 44.50.068(a)(3), unless the person has reestablished residency in this state under AS 01.10.055 before the person submits the application; or

(B) another jurisdiction for a reason substantially similar to AS 44.50.068(a)(2) or (4).

(§ 9 ch 60 SLA 2005)

**Effective dates.** Section 18, ch. 60, SLA 2005 makes this section effective July 1, 2005.

**Sec. 44.50.037. Certificate of commission.**

Upon commission of a notary public under this chapter, the lieutenant governor shall provide to the notary public a certificate of commission indicating the commission and the dates of the term of the commission.

(§ 9 ch 60 SLA 2005)

**Effective dates.** Section 18, ch. 60, SLA 2005 makes this section effective July 1, 2005.

**Sec. 44.50.038. Subsequent commissions.**

A notary public whose term of commission is ending may apply for a new notary public commission by submitting a new application under AS 44.50.032 and complying with the requirements of this chapter. The lieutenant governor's approval of a new application for a commission for a notary public without limitation under AS 44.50.010(a)(1) terminates an applicant's existing commission under that paragraph.

(§ 9 ch 60 SLA 2005)

**Effective dates.** Section 18, ch. 60, SLA 2005 makes this section effective July 1, 2005.

**Sec. 44.50.039. Limited governmental notaries public.**

A state, municipal, or federal employee commissioned as a notary public under AS 44.50.010(a)(2)

(1) is designated a limited governmental notary public;

(2) may perform notarial acts only in the conduct of official government business; and

(3) may not charge or receive a fee or other consideration for notarial services provided under this chapter.

(§ 9 ch 60 SLA 2005)

**Effective dates.** Section 18, ch. 60, SLA 2005 makes this section effective July 1, 2005.

**Sec. 44.50.040. Fees. [Repealed, § 14 ch 60 SLA 2005].**

**Sec. 44.50.050. [Renumbered as AS 44.50.180(d)].**

**Sec. 44.50.060. Duties.**

A notary public may

(1) administer oaths and affirmations;

(2) take the acknowledgment of or proof of execution of instruments in writing, and give a notarial certificate of the proof or acknowledgment, included in or attached to the instrument; the notarial certificate shall be signed by the notary public in the notary public's own handwriting or by electronic means as authorized by regulations adopted by the lieutenant governor.

(§ 5 ch 99 SLA 1961; am § 10 ch 60 SLA 2005)

**Effect of amendments.** The 2005 amendment, effective July 1, 2005, rewrote this section.

**Opinions of attorney general.** Because Alaska law does not directly so authorize, a notary public may not certify copies of documents. March 4, 1992, Op. Att'y Gen.

**Collateral references.** 58 Am. Jur. 2d, Notaries Public, §§ 24 to 36.

66 C.J.S., Notaries, §§ 11 to 17.

Measure of damages for false or incomplete certificate by notary public or similar officer. 13 ALR3d 1039.

**Sec. 44.50.061. Unauthorized practice.**

(a) A notary public who is not an attorney may complete but may not select notarial certificates, and may not assist another person in drafting, completing, selecting, or understanding a document or transaction requiring a notarial act.

(b) This section does not prohibit a notary public who is qualified in and, if required, licensed to practice, a particular profession from giving advice relating to matters in that professional field.

(c) A notary public may not make representations to have powers, qualifications, rights, or privileges that the office of notary public does not have.

(§ 11 ch 60 SLA 2005)

**Effective dates.** Section 18, ch. 60, SLA 2005 makes this section effective July 1, 2005.

**Sec. 44.50.062. Prohibited acts.**

A notary public may not

(1) violate state or federal law in the performance of acts authorized by this chapter;

(2) influence a person to enter into or avoid a transaction involving a notarial act by the notary public;

(3) affix the notary public's signature or seal on a notarial certificate that is incomplete;

(4) charge a fee for a notarial act unless a fee schedule has been provided to the signer before the performance of the notarial act;

(5) affix the notary public's official seal to a document unless the person who is to sign the document

(A) appears and signs the document before the notary public or, for an acknowledgment, appears and indicates to the notary public that the person voluntarily affixed the person's signature on the document for the purposes stated within the document;

(B) gives an oath or affirmation if required under law or if the notarial certificate states that the document was signed under oath or affirmation; and

(C) is personally known to the notary public, produces government-issued identification containing the photograph and signature of the person signing, or produces

(i) government-issued identification containing the signature of the person signing, but without a photograph; and

(ii) another valid identification containing the photograph and signature of the person signing;

(6) perform a notarial act if the notary public

(A) is a signer of or named in the document that is to be notarized; or

(B) will receive directly from a transaction connected with the notarial act a commission, fee, advantage, right, title, interest, cash, property, or other consideration exceeding in value the normal fee charged by the notary for the notarial act.

(§ 11 ch 60 SLA 2005)

**Effective dates.** Section 18, ch. 60, SLA 2005 makes this section effective July 1, 2005.

#### NOTES TO DECISIONS

**"Sworn statement."** - Notarized statement was a "sworn statement" even without proof of the administration of a verbal oath, where the declarant showed his identification to the notary, knowingly signed the document in her presence, the document stated that the defendant was duly sworn, and the notary actually notarized it. *Gargan v. State*, 805 P.2d 998 (Alaska Ct. App. 1991), cert. denied, 501 U.S. 1209, 111 S. Ct. 2808, 115 L. Ed. 2d 981 (1991).

**Requirements of oath satisfied.** - When the notary is present at the signing of a document which purports to be sworn, and when the notary then notarizes the document, the requirements of the oath have been satisfied; the document qualifies as a sworn statement. *Gargan v. State*, 805 P.2d 998 (Alaska Ct. App. 1991), cert. denied, 501 U.S. 1209, 111 S. Ct. 2808, 115 L. Ed. 2d 981 (1991).

#### **Sec. 44.50.063. Official signature.**

(a) When performing a notarization, a notary public shall

(1) sign in the notary public's own handwriting, on the notarial certificate, exactly and only the name indicated on the notary public's commission certificate, or sign an electronic document by electronic means as authorized by regulations adopted by the lieutenant governor; and

(2) affix the official signature only at the time the notarial act is performed.

(b) A notary public shall comply in a timely manner with a request by the lieutenant governor to supply a current sample of the notary public's official handwritten signature and information regarding the notary public's electronic signature.

(c) Within 10 days after the security of a notary public's electronic signature has been compromised, the notary public shall provide the lieutenant governor with written notification

that the signature has been compromised. After the notary public has provided the lieutenant governor with the notification, the notary public shall provide the lieutenant governor with any additional information that the lieutenant governor requests about the compromise of the signature.

(§ 11 ch 60 SLA 2005)

**Effective dates.** Section 18, ch. 60, SLA 2005 makes this section effective July 1, 2005.

**Sec. 44.50.064. Official seal.**

(a) A notary public shall keep an official seal, which is the exclusive property of the notary public, and shall ensure that another person does not possess or use the official seal.

(b) A notary public's official seal

(1) must contain

(A) the notary public's name exactly as indicated on the notary public's commission certificate;

(B) the words "Notary Public" and "State of Alaska"; and

(2) may be a circular form not over two inches in diameter, may be a rectangular form not more than one inch in width by two and one-half inches in length, or may be an electronic form as authorized by regulations adopted by the lieutenant governor.

(c) When not in use, a notary public's official seal shall be kept secure and under the exclusive control of the notary public.

(d) Within 10 days after a notary public's official seal is stolen or lost, or the security of the notary public's official electronic seal is compromised, the notary public shall provide the lieutenant governor with written notification of the theft, loss, or compromised security. After the notary public has provided the lieutenant governor with the notification, the notary public shall provide the lieutenant governor with any additional information that the lieutenant governor requests about the compromise of the seal.

(e) In order to avoid misuse, a notary public's official seal shall be destroyed or defaced

(1) upon the notary public's resignation or death;

(2) upon the revocation or termination by the lieutenant governor of the notary public's commission; or

(3) when the notary public's term of commission ends if the notary public has not received a new commission under this chapter.

(§ 11 ch 60 SLA 2005)

**Effective dates.** Section 18, ch. 60, SLA 2005 makes this section effective July 1, 2005.

**Sec. 44.50.065. Seal impression or depiction.**

(a) With regard to each paper document being notarized, a sharp, legible, photographically reproducible impression or depiction of a notary public's official seal shall be affixed

(1) on the notarial certificate near the notary public's official signature; and

(2) only at the time the notarial act is performed.

(b) For a notarized paper document, illegible information within a seal impression or depiction may be typed or printed legibly by the notary public adjacent to, but not within, the impression or depiction.

(c) An embossed seal impression that is not photographically reproducible may be used in addition to, but not in place of, the seal impression or depiction required by (a) of this section.

(d) A notary public may use a seal in electronic form on electronic documents notarized by the notary public as authorized by regulations adopted by the lieutenant governor. The seal shall be affixed only at the time the notarial act is performed.

(§ 11 ch 60 SLA 2005)

**Effective dates.** Section 18, ch. 60, SLA 2005 makes this section effective July 1, 2005.

**Sec. 44.50.066. Notary public's status notification.**

(a) Within 30 days after change of a notary public's name, mailing address, or physical address, the notary public shall, on a form provided by the lieutenant governor, submit written notification of the change, signed by the notary public.

(b) The lieutenant governor may require limited governmental notaries public commissioned under AS 44.50.010(a)(2) who change departmental or agency employers to submit written notification of the change on a form provided by the lieutenant governor.

(c) A notary public commissioned under AS 44.50.010(a)(1) reporting a name change shall submit to the lieutenant governor payment of the fee under AS 44.19.024 for the issuance of a replacement certificate of commission.

(d) A notary public reporting a name change under (a) and (c) of this section shall use the

person's former name for the performance of notarial acts until the person has

(1) provided written notification of the name change to the surety for any bond required under AS 44.50.034;

(2) received a replacement certificate of commission reflecting the name change from the lieutenant governor; and

(3) obtained a new seal reflecting the name change.

(e) The lieutenant governor may require a notary public to update the information required under AS 44.50.032, including the notary public's current notarized signature and information regarding the notary public's electronic signature.

(§ 11 ch 60 SLA 2005)

**Effective dates.** Section 18, ch. 60, SLA 2005 makes this section effective July 1, 2005.

**Sec. 44.50.067. Resignation.**

(a) To resign a commission, a notary public shall notify the lieutenant governor in writing of the resignation and the date that it is effective. The notary public shall sign the notification.

(b) A notary public who does not any longer meet the requirements of this chapter to be a notary public shall immediately resign the commission.

(§ 11 ch 60 SLA 2005)

**Effective dates.** Section 18, ch. 60, SLA 2005 makes this section effective July 1, 2005.

**Sec. 44.50.068. Disciplinary action; complaint; appeal; hearing; delegation.**

(a) The lieutenant governor may suspend or revoke a notary public's commission or reprimand a notary public for good cause shown, including

(1) a ground on which an application for a commission may be denied;

(2) failure to comply with this chapter;

(3) failure to maintain residency in this state under AS 01.10.055; and

(4) incompetence or malfeasance in carrying out the notary public's duties under this chapter.

(b) A person harmed by the actions of a notary public may file a complaint with the lieutenant governor. The complaint shall be filed on a form prescribed by the lieutenant governor

and shall be signed and verified by the person alleging misconduct by the notary public.

(c) If the lieutenant governor determines that the allegations in the complaint do not warrant formal disciplinary action, the lieutenant governor may decline to act on the complaint or may advise the notary public of the appropriate conduct and the applicable statutes and regulations governing the conduct. The lieutenant governor shall notify the notary public and the complainant of the determination in writing.

(d) If the lieutenant governor determines that the complaint alleges sufficient facts to constitute good cause for disciplinary action, the lieutenant governor shall serve the notary public with a copy of the complaint as provided in Rule 4, Alaska Rules of Civil Procedure. The notary public may file a written response to the complaint with the lieutenant governor within 20 days after receipt of the complaint. The lieutenant governor may extend the time for the notary public's response. The lieutenant governor shall provide a copy of the notary public's response to the complainant.

(e) The lieutenant governor shall review the complaint and the response to determine whether formal disciplinary action may be warranted. The lieutenant governor may determine that the allegations in the complaint do not warrant formal disciplinary action, in which case the lieutenant governor may determine not to take further action on the complaint or may determine to advise the notary public of the appropriate conduct and the applicable statutes and regulations governing the conduct. If the lieutenant governor determines that formal disciplinary action is not warranted, the lieutenant governor shall provide the complainant and the notary public with a written statement of the basis for the determination.

(f) If the lieutenant governor finds that formal disciplinary action may be warranted, the lieutenant governor may suspend or revoke a notary public's commission or reprimand a notary public. If the lieutenant governor suspends or revokes the commission or issues a reprimand, the lieutenant governor shall provide, by certified mail, the notary public with a written statement of the lieutenant governor's decision, including a written statement of the basis for the determination.

(g) A person who is issued a reprimand, suspension, or revocation under (f) of this section may appeal the reprimand, suspension, or revocation by requesting a hearing within 15 days after receiving the statement provided under (f) of this section. If a hearing is requested, the lieutenant governor shall deny or grant the request under AS 44.64.060(b) and refer the matter to the office of administrative hearings under AS 44.64.060(b).

(h) The lieutenant governor may delegate the powers under this section.

(§ 11 ch 60 SLA 2005)

**Cross references.** For a provision authorizing the lieutenant governor to take an action under this section against a notary public whose commission is in effect on June 30, 2005, and who has been, within 10 years before the notary public's term of office expires under former AS 44.50.030, convicted of

a felony or incarcerated in a correctional facility for a felony conviction, see § 15(b), ch. 60, SLA 2005, in the 2005 Temporary and Special Acts.

**Effective dates.** Section 18, ch. 60, SLA 2005 makes this section effective July 1, 2005.

**Sec. 44.50.070. Presence and identification required. [Repealed, § 14 ch 60 SLA 2005].**

**Sec. 44.50.071. Confidentiality.**

(a) An address, telephone number, and electronic mail address of a notary public or an applicant that is submitted under AS 44.50.032 or 44.50.038 and that is designated by the notary public or applicant as confidential shall be kept confidential. However, a notary public shall provide a nonconfidential address and telephone number at which the notary public can be contacted.

(b) Compilations and data bases of those addresses, telephone numbers, and electronic mail addresses of notaries public that are confidential under (a) of this section shall be kept confidential, except that the lieutenant governor may disclose compilations and data bases if the lieutenant governor determines that disclosure is in the public interest.

(c) A complaint filed under AS 44.50.068 shall be kept confidential unless the lieutenant governor determines under AS 44.50.068(d) that the complaint alleges sufficient facts to constitute good cause for disciplinary action.

(§ 12 ch 60 SLA 2005)

**Effective dates.** Section 18, ch. 60, SLA 2005 makes this section effective July 1, 2005.

**Sec. 44.50.072. Regulations.**

The lieutenant governor may adopt regulations under AS 44.62 (Administrative Procedure Act) to carry out the purposes of this chapter.

(§ 12 ch 60 SLA 2005)

**Effective dates.** Section 18, ch. 60, SLA 2005 makes this section effective July 1, 2005.

**Sec. 44.50.073. Published summary.**

The lieutenant governor may publish by electronic means for commissioned notaries public a

summary of the provisions of this chapter and the regulations adopted under this chapter. The lieutenant governor shall, upon request, distribute the summary to each person who is commissioned a notary public under this chapter.

(§ 12 ch 60 SLA 2005)

**Effective dates.** Section 18, ch. 60, SLA 2005 makes this section effective July 1, 2005.

**Sec. 44.50.080 - 44.50.140. Seal; Protest of bill or note; Return of papers to lieutenant governor; Application of Administrative Procedure Act to revocation of notary commission; Bond; Filing oath and bond; Disposition of bond. [Repealed, § 14 ch 60 SLA 2005.].**

**Sec. 44.50.150. Copy of bond as evidence.**

A certified copy of the record of the official bond with all affidavits, acknowledgments, endorsements, and attachments may be read in evidence with the same effect as the original, without further proof.

(§ 10 ch 99 SLA 1961)

**Sec. 44.50.160. Misconduct or neglect.**

A notary and the sureties on the official bond are liable to persons injured for the damages sustained on account of misconduct or neglect of the notary.

(§ 11 ch 99 SLA 1961)

**Collateral references.** 58 Am. Jur. 2d, Notaries Public, §§ 55 to 66.

66 C.J.S., Notaries, §§ 5, 18 to 21.

Liability of notary public or his bond for negligence in performance of duties. 44 ALR3d 555.

Liability of notary public or his bond for wilful or deliberate misconduct in performance of duties. 44 ALR3d 1243.

**Sec. 44.50.170. State employees as notaries. [Repealed, § 14 ch 60 SLA 2005.].**

**Sec. 44.50.180. Postmasters as notaries.**

(a) Each postmaster in the state may perform the functions of a notary public in the state.

(b) Each official act of a postmaster as a notary public shall be signed by the postmaster, with a designation of the person's title as postmaster, shall have the cancellation stamp of the post office affixed, and shall state the name of the post office and the date on which the act was done.

(c) *[Repealed, § 14 ch 60 SLA 2005.]*

(d) Nothing in this chapter requires a postmaster to post a bond or to have a commission.  
(§§ 4, 13 ch 99 SLA 1961; am § 14 ch 60 SLA 2005)

**Revisor's notes.** Subsection (d) formerly AS 44.50.050. Renumbered in 1989.

**Effect of amendments.** The 2005 amendment, effective July 1, 2005, repeals subsection (c).

**Sec. 44.50.190. Savings clause. [Repealed, § 14 ch 60 SLA 2005].**

#### **Sec. 44.50.200. Definitions.**

In this chapter, unless the context otherwise requires,

(1) "convicted" or "conviction" means that the person has entered a plea of guilty, guilty but mentally ill, or nolo contendere, or has been found guilty or guilty but mentally ill by a court or jury;

(2) "notarial act" means an act that is identified as a notarial act under AS 09.63.120 and an act that a notary public is directed to perform under AS 44.50.060;

(3) "notary public" means a person commissioned to perform notarial acts under this chapter.  
(§ 13 ch 60 SLA 2005)

**Effective dates.** Section 18, ch. 60, SLA 2005 makes this section effective July 1, 2005.

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## **CHAPTER 53. FOREIGN COMMISSIONERS FOR ACKNOWLEDGMENTS**