

General Information

What is a Notary Public?

A notary public is a public officer appointed and commissioned by the Governor whose function is to administer oaths; to take acknowledgments of deeds and other instruments; to attest to or certify photocopies of certain documents; and to perform other duties specified by law.

Qualifications and Requirements for Appointment

- You may only be commissioned in your legal name (or a nickname of your legal name).

Example: John Quinton Public could be commissioned in the names:

John Quinton Public
John Q. Public
J. Quinton Public
J. Q. Public
Johnny Public

You must sign notarial certificates in your commissioned name, and your notary seal must bear that name. No variation from the commissioned name is permitted.

- You must be at least 18 years of age.
- You must be a legal resident of Florida. There is no certain length of time required to establish residency. However, if the Governor's Office requires proof of residency, the following methods, along with the applicant's intent to reside in Florida, would be acceptable: a Florida driver's license; a Florida vehicle registration document; a voter's registration card; or a recorded Declaration of Domicile.
- If not a U.S. citizen, you must submit a recorded Declaration of Domicile. This affidavit is available at your county clerk's office.
- If ever convicted of a felony charge, you must have your civil rights restored.

If ever convicted of a felony or if ever charged with a felony and adjudication was withheld on the charge or the sentence was suspended, you must submit several documents:

- (1) a written statement regarding the nature and circumstances of the charges;
- (2) a copy of the Judgment and Sentencing Order, or a comparable court document; and,
- (3) if convicted, a copy of the Certificate of Restoration of Civil Rights (or pardon). The name of this document may vary depending on the state where the conviction occurred.

This information is required for all felony convictions whether the charges were brought by the State of Florida, another state, or the United States. If adjudication was withheld and civil rights were not forfeited, the written statement and court documents are sufficient.

To obtain information about the restoration of civil rights, you may contact:

Office of Executive Clemency
2601 Blair Stone Road
Building C, Room 229
Tallahassee, FL 32399-2450
(850) 488-2952

Note: Submission of all the required information does not guarantee appointment. Decisions are made on an individual basis.

- You must take the constitutional oath of office.
- You must swear or affirm that you have read the notary laws and will obey them.
- You must complete a three hour notary education course if you are a first time applicant. §668.50(b), Fla. Stat.

Appointment and Commission

- Notaries are public officers appointed and commissioned by the Governor. You are not licensed, you are appointed. An appointment is a privilege, not a right.
- The term of office is four years. *Example:* A commission which began on July 1, 1996 (12:01 a.m.) will end on June 30, 2000 (12:00 p.m.).
- If your lawful name changes, you must request an amended commission by submitting the appropriate application form, a rider to the notary bond, and a fee of \$25. You should contact your bonding company for assistance. Once you make application for a change of name, you may continue notarizing in your former name until receipt of your amended commission and seal. You will be given a new commission number, but you will retain the same expiration date.
- If you lose your commission certificate, you may request a duplicate from the Department of State, Bureau of Notaries Public, or from your bonding agency.

Application Process

- Since July 1, 1996, applications have been submitted by bonding agencies both in paper format and in an electronic format approved by the Department of State.
- The application form is prescribed by the Department of State and consists of 3 parts:
 - (1) *Personal information* — name, social security number, date of birth, sex, race, residence address, place of employment, business address, home phone, business phone, Florida driver's license number or other state issued identification, information about any previous notary commission, residency status, citizenship status, criminal record, and information about any professional licenses.
 - (2) *Oath of office* — The applicant must sign the following oath. The signature is the notary's legal signature on file.

<p>State of Florida _____ County</p> <p><i>I do solemnly (swear) (affirm) that I will support, protect and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State of Florida; that I have read Chapter 117, Florida Statutes, and any amendments thereto, and know the duties, responsibilities, limitations, and powers of a notary public, and that I will honestly, diligently, and faithfully discharge the duties of Notary Public, State of Florida, on which I am now about to enter (, so help me God).</i></p> <p><i>Under penalties of perjury, I declare that I have read the foregoing application and oath and that the facts stated in it are true.</i></p> <p><i>I accept the office of Notary Public, State of Florida.</i></p>

- (3) *Affidavit of Character* — A person who is unrelated to the applicant and who has known the applicant for at least one year must give a sworn statement that the applicant is of good character.

Note: *The application form no longer requires notarization.*

- The total state fees are \$39.
 - \$25 application fee
 - \$10 commission fee
 - \$ 4 education surcharge

Veterans who served during a wartime period defined in law and who have a disability rating of 50% or more are exempt from the \$10 commission fee. A veteran who qualifies should request the reduction in writing and provide proof of exemption. See section 117.01(2), Florida Statutes, (effective 1/1/97).

- Once the appointment is made, the commission certificate is usually mailed back to the bonding agency, who forwards it to the notary with the notary seal.

