

Senate Engrossed

FILED
KEN BENNETT
SECRETARY OF STATE

State of Arizona
Senate
Fifty-first Legislature
First Regular Session
2013

CHAPTER 77

SENATE BILL 1094

AN ACT

AMENDING SECTIONS 13-2406 AND 41-321, ARIZONA REVISED STATUTES; AMENDING TITLE 41, CHAPTER 2, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 41-333; RELATING TO NOTARIES PUBLIC.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 13-2406, Arizona Revised Statutes, is amended to
3 read:

4 13-2406. Impersonating a public servant; classification;
5 definition

6 A. A person commits impersonating a public servant if such person
7 pretends to be a public servant and engages in any conduct with the intent to
8 induce another to submit to his pretended official authority or to rely upon
9 ON his pretended official acts.

10 B. It is no defense to a prosecution under this section that the
11 office the person pretended to hold did not in fact exist or that the
12 pretended office did not in fact possess the authority claimed for it.

13 C. Impersonating a public servant is a class 1 misdemeanor.

14 D. FOR THE PURPOSES OF THIS SECTION, "PUBLIC SERVANT" INCLUDES A
15 NOTARY PUBLIC.

16 Sec. 2. Section 41-321, Arizona Revised Statutes, is amended to read:
17 41-321. Obtaining a seal; violation; classification

18 A. A vendor of notary seals may not provide an official seal to a
19 person unless the person presents a photocopy of the person's notarial
20 commission. The vendor shall retain the photocopy for four years.

21 B. A notary public's official seal may be any shape and shall produce
22 a stamped seal that is no more than one and one-half inches high and two and
23 one-half inches wide. A notary public may possess only one official seal but
24 may also possess and use an embossing seal that may be used only in
25 conjunction with the notary public's official seal. An embossing seal is not
26 an official seal of a notary public.

27 C. A PERSON WHO KNOWINGLY VIOLATES SUBSECTION A OF THIS SECTION IS
28 GUILTY OF A CLASS 6 FELONY. A person who violates ~~this section~~ SUBSECTION B
29 OF THIS SECTION is guilty of a class 3 misdemeanor.

30 Sec. 3. Title 41, chapter 2, article 2, Arizona Revised Statutes, is
31 amended by adding section 41-333, to read:

32 41-333. Impersonation of notary public

33 ANY PERSON WHO KNOWINGLY ACTS AS OR OTHERWISE INTENTIONALLY
34 IMPERSONATES A NOTARY PUBLIC WHILE NOT LAWFULLY APPOINTED AND COMMISSIONED TO
35 PERFORM NOTARIAL ACTS IS GUILTY OF IMPERSONATING A PUBLIC SERVANT PURSUANT TO
36 SECTION 13-2406.

APPROVED BY THE GOVERNOR APRIL 10, 2013.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 10, 2013.

Passed the House March 20, 2013,

Passed the Senate February 11, 2013,

by the following vote: 58 Ayes,

by the following vote: 29 Ayes,

0 Nays, 2 Not Voting

0 Nays, 1 Not Voting

[Signature]
Speaker of the House

[Signature]
President of the Senate

[Signature]
Chief Clerk of the House

[Signature]
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

8 day of April, 2013,

at 2:10 o'clock P M.

[Signature]
Secretary to the Governor

Approved this 18th day of

April, 2013,

at 1:09 o'clock P M.

[Signature]
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 10th day of April, 2013,

at 4:58 o'clock P M.

[Signature]
Secretary of State

S.B. 1094