NOTE: This bill has been prepared for the signature of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.

An Act

HOUSE BILL 02-1088

BY REPRESENTATIVE(S) Mace, Bacon, Boyd, Cloer, Coleman, Dean, Groff, Jahn, Madden, Marshall, Miller, Romanoff, Sanchez, Snook, Stengel, Tapia, Veiga, Vigil, Webster, and Williams S.;
also SENATOR(S) Hernandez.

CONCERNING THE LIMITATIONS ON THE DUTIES OF NOTARIES PUBLIC WHO ARE NOT LICENSED TO PRACTICE LAW.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. 12-55-107 (1), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

12-55-107. Revocation of commission. (1) The secretary of state or the secretary of state's designee may deny the application of any person for appointment or reappointment, or revoke the commission of any notary public during such notary's term of appointment if the notary public:

(h) KNOWINGLY USES FALSE OR MISLEADING ADVERTISING TO REPRESENT A LEVEL OF AUTHORITY NOT PERMITTED TO A NOTARY PUBLIC BY LAW.

SECTION 2. Part 1 of article 55 of title 12, Colorado Revised

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Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

12-55-110.3. Advertisements for services. (1) (a) A NOTARY PUBLIC WHO IS NOT A LICENSED ATTORNEY IN THE STATE OF COLORADO AND WHO ADVERTISES, INCLUDING BY SIGNAGE, HIS OR HER SERVICES IN A LANGUAGE OTHER THAN ENGLISH SHALL INCLUDE IN THE ADVERTISEMENT THE FOLLOWING NOTICE, BOTH IN ENGLISH AND IN THE LANGUAGE OF THE ADVERTISEMENT:

> "I AM NOT AN ATTORNEY LICENSED TO PRACTICE LAW IN THE STATE OF COLORADO AND I MAY NOT GIVE LEGAL ADVICE OR ACCEPT FEES FOR LEGAL ADVICE."

(b) ALL WRITTEN ADVERTISEMENTS SHALL INCLUDE THE LANGUAGE EXACTLY AS WRITTEN IN PARAGRAPH (a) OF THIS SUBSECTION (1). SUCH LANGUAGE SHALL BE CLEARLY VISIBLE. ORAL ADVERTISEMENTS OR SOLICITATIONS, INCLUDING THOSE ON RADIO OR TELEVISION, SHALL CONTAIN THE SAME MESSAGE BUT SHALL NOT BE REQUIRED TO USE THE EXACT LANGUAGE.

(2) A NOTARY PUBLIC WHO ADVERTISES IN A LANGUAGE OTHER THAN ENGLISH SHALL POST A LIST OF FEES PERMITTED BY LAW FOR NOTARIAL SERVICES. SUCH LIST SHALL BE WRITTEN IN ENGLISH AND IN THE LANGUAGE OF THE ADVERTISEMENT AND SHALL BE POSTED IN A HIGHLY VISIBLE LOCATION AT THE NOTARY'S PLACE OF BUSINESS. SUCH LIST SHALL INCLUDE THE NOTICE INCLUDED IN PARAGRAPH (a) OF SUBSECTION (1) OF THIS SECTION.

(3) (a) A NOTARY PUBLIC WHO IS NOT A LICENSED ATTORNEY IN THE STATE OF COLORADO SHALL NOT REPRESENT OR ADVERTISE HIMSELF OR HERSELF AS AN IMMIGRATION CONSULTANT OR AN EXPERT ON IMMIGRATION MATTERS.

(b) A NOTARY PUBLIC WHO IS NOT AN ATTORNEY LICENSED TO PRACTICE LAW IN COLORADO IS PROHIBITED FROM PROVIDING ANY SERVICE THAT CONSTITUTES THE UNAUTHORIZED PRACTICE OF LAW.

SECTION 3. Effective date. This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a

referendum petition pursuant to article V, section 1 (3) of the state constitution; except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Doug Dean SPEAKER OF THE HOUSE OF REPRESENTATIVES	Stan Matsunaka PRESIDENT OF THE SENATE
Judith Rodrigue CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES	Karen Goldman SECRETARY OF THE SENATE

APPROVED_____

Bill Owens
GOVERNOR OF THE STATE OF COLORADO