

HOUSE No. 4790

By Mr. Businger of Brookline, petition of the Mass. Town Clerks' Association, John A. Businger, Stephen W. Doran, Kevin G. Honan, Geoffrey C. Beckwith and Augusto F. Grace relative to records of notaries public. The Judiciary.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety.

AN ACT RELATIVE TO RECORDS OF NOTARIES PUBLIC.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 222 of the General Laws is hereby amended by adding
2 the following section: —

3 Section 12. A notary public shall maintain a record of all
4 official acts performed during the notary's commission. The
5 official record shall include a brief description of the instrument
6 affected by the action of the notary. Said record shall also include
7 the name of the individual executing the instrument, the party to
8 whom the instrument runs, the date of the instrument, and the
9 amount of monetary consideration, if any.

10 In the event of the office being vacated, by termination of the
11 commission, or death of the notary, the records of the notary shall
12 be forwarded by the person having possession to the superior
13 court of the notary's domicile, whose clerk shall, in accordance
14 with the provisions of section twenty-seven A of chapter two
15 hundred and twenty-one provide for disposal of the same.

16 A notary upon request shall provide access to records
17 maintained by him, and shall provide a certified copy of any page
18 or item requested, except as otherwise exempted by law, in a
19 reasonable period of time for a reasonable fee.

