

# SENATE NO. 1033

**AN ACT** REGULATING NOTARIES PUBLIC TO PROTECT CONSUMERS AND PROVIDE ANTI-FRAUD PROTECTIONS.

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

1 SECTION 1. Chapter 222 of the General Laws is hereby amended by adding the following  
2 caption and sections:

## 3 NOTARIES PUBLIC

4 Section 12. For the purposes of this section, the following words shall have the following  
5 meanings:

6 "Acknowledgment" shall mean a notarial act in which an individual, at a single time and place,  
7 appears in person before the notary public and presents a document; is identified by the notary  
8 public through satisfactory evidence of identity; and indicates to the notary public that the  
9 signature on the document was voluntarily affixed by the individual for the purposes stated  
10 within the document and, if applicable, that the individual had authority to sign in a particular  
11 representative capacity.

12 "Affirmation" shall mean a notarial act, or part thereof, that is legally equivalent to an oath in  
13 which an individual, at a single time and place, appears in person before the notary public; is

14 identified by the notary public through satisfactory evidence of identity; and makes a vow of  
15 truthfulness or fidelity under the pains and penalties of perjury without invoking a deity.

16 "Copy certification" shall mean a notarial act in which a notary public is presented with a  
17 document; copies or supervises the copying of the document using a photographic or electronic  
18 copying process; compares the document to the copy; and determines that the copy is accurate  
19 and complete.

20 "Credible witness" means an honest, reliable, and impartial person who personally knows an  
21 individual appearing before a notary and takes an oath or affirmation from the notary to vouch  
22 for that individual's identity.

23 "Journal of notarial acts" or "journal" shall mean a permanently bound book that creates and  
24 preserves a chronological record of notarizations performed by a notary public.

25 "Jurat" means a notarial act in which an individual, at a single time and place appears in person  
26 before the notary public and presents a document; is identified by the notary public through  
27 satisfactory evidence of identity; signs the document in the presence of the notary public; and  
28 takes an oath or affirmation before the notary vouching for the truthfulness or accuracy of the  
29 signed document.

30 "Notarial act" and "notarization" shall mean any act that a notary public is empowered to  
31 perform under this executive order.

32 "Notary public" or "notary" shall mean any person commissioned to perform official acts  
33 pursuant to Article IV of the Articles of Amendment of the Massachusetts Constitution.

34 "Oath" shall mean a notarial act, or part thereof, which is legally equivalent to an affirmation,  
35 and in which an individual, at a single time and place, appears in person before the notary; is  
36 identified by the notary through satisfactory evidence of identity; and makes a vow of

37 truthfulness or fidelity under the pains and penalties of perjury.

38 "Official misconduct" shall mean a notary's performance of any act prohibited, or failure to  
39 perform any act mandated, by these sections, or by any other law, in connection with a notarial  
40 act; or a notary's performance of an official act in a manner found to be grossly negligent or  
41 against the public interest.

42 "Personal knowledge of identity" shall mean familiarity with an individual resulting from  
43 interactions with that individual over a period of time sufficient to ensure beyond doubt that the  
44 individual has the identity claimed.

45 "Principal" shall mean a person whose signature is notarized, or a person taking an oath or  
46 affirmation from the notary.

47 "Satisfactory evidence of identity" shall mean identification of an individual based on at least  
48 one current document issued by a federal or state government agency bearing the photographic  
49 image of the individual's face and signature; or on the oath or affirmation of a credible witness  
50 unaffected by the document or transaction who is personally known to the notary and who  
51 personally knows the individual; or identification of an individual based on the notary public's  
52 personal knowledge of the identity of the principal. For a person who is not a United States  
53 citizen, "satisfactory evidence of identity" shall mean identification of an individual based on a  
54 valid passport, or another government-issued document evidencing the individual's nationality  
55 or residence, that bears a photographic image of the individual's face and signature. For a  
56 person who is a Vermont or New Jersey resident, until January 1, 2008, "satisfactory evidence  
57 of identity" may include identification of an individual based on a valid driver's license that  
58 does not contain a photograph that is presented along with other documentary proof of identity  
59 that ensures beyond question that the person has the identity claimed.

60 “Signature witnessing” shall mean a notarial act in which an individual, at a single time and  
61 place, appears in person before the notary public and presents a document; is identified by the  
62 notary public through satisfactory evidence of identity; and signs the document in the presence  
63 of the notary public.

64 Section 13. (a) A person qualified for a notary public commission shall be at least 18 years of  
65 age, and be a United States citizen or have permanent residency status.

66 (b) In the Governor's discretion, an application may be denied based on:

67 (1) submission of an official application containing a material misstatement or omission of fact;

68 (2) the applicant's felony conviction or misdemeanor conviction that resulted in a prison  
69 sentence;

70 (3) the applicant's conviction of a misdemeanor with probation or a fine, or conviction for drunk  
71 driving;

72 (4) the applicant's admission of facts sufficient to warrant a finding of guilt of any crime;

73 (5) a finding or admission of liability against the applicant in a civil lawsuit based on the  
74 applicant's deceit;

75 (6) revocation, suspension, restriction, or denial of a notarial commission or professional license  
76 by this or any other state; or

77 (7) any other reasons that, within the Governor's discretion, would make the applicant  
78 unsuitable to hold the commission as a notary public.

79 Section 14. As set forth in Article IV of the Articles of Amendment to the Constitution of the  
80 Commonwealth, a person commissioned as a notary public may perform notarial acts in any  
81 part of the commonwealth for a term of seven years, unless the commission is earlier revoked or  
82 the notary resigns.

83 Section 15. (a) A notary public may perform the following notarial acts: acknowledgments;  
84 oaths and affirmations; jurats; signature witnessings; copy certifications; issuance of  
85 summonses for witnesses as set forth in section 1 of chapter 233; issuance of subpoenas; and  
86 witness the opening of a bank safe, vault, or box as set forth in section 32 of chapter 167.

87 (b) A notary shall take the acknowledgment of the signature or mark of persons acknowledging  
88 for themselves or in any representative capacity by using substantially the following form:

89 On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, before me, the undersigned notary  
90 public, personally appeared \_\_\_\_\_ (name of document  
91 signer), proved to me through satisfactory evidence of identification, which were  
92 \_\_\_\_\_, to be the person whose name is signed on the  
93 preceding or attached document, and acknowledged to me that (he) (she) signed  
94 it voluntarily for its stated purpose.

95 (as partner for \_\_\_\_\_, a partnership)

96 (as \_\_\_\_\_ for \_\_\_\_\_, a corporation)

97 (as attorney in fact for \_\_\_\_\_, the principal)

98 (as \_\_\_\_\_ for \_\_\_\_\_, (a) (the) \_\_\_\_\_)

99 \_\_\_\_\_ (official signature and seal of notary)

100 (c) A notary shall use a jurat certificate in substantially the following form in notarizing a  
101 signature or mark on an affidavit or other sworn or affirmed written declaration:

102 On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, before me, the undersigned notary  
103 public, personally appeared \_\_\_\_\_ (name of document  
104 signer), proved to me through satisfactory evidence of identification, which were  
105 \_\_\_\_\_, to be the person who signed the preceding or

106 attached document in my presence, and who swore or affirmed to me that the  
107 contents of the document are truthful and accurate to the best of (his) (her)  
108 knowledge and belief.

109 \_\_\_\_\_ (official signature and seal of notary)

110 (d) A notary shall witness a signature in substantially the following form in notarizing a  
111 signature or mark to confirm that it was affixed in the notary's presence without administration  
112 of an oath or affirmation:

113 On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, before me, the undersigned notary  
114 public, personally appeared \_\_\_\_\_ (name of document  
115 signer), proved to me through satisfactory evidence of identification, which were  
116 \_\_\_\_\_, to be the person whose name is signed on the  
117 preceding or attached document in my presence.

118 \_\_\_\_\_ (official signature and seal of notary)

119 (e) A notary shall certify a copy by using substantially the following form:

120 On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, I certify that the (preceding)  
121 (following) (attached) document is a true, exact, complete, and unaltered copy  
122 made by me of \_\_\_\_\_ (description of the document), presented  
123 to me by \_\_\_\_\_.

124 \_\_\_\_\_ (official signature and seal of notary)

125 (f) This section does not require a notary public to use the forms set forth above if the form of  
126 an acknowledgment, jurat, signature witnessing, or copy certification is required or allowed by  
127 the provisions of any court rule or court forms; a Massachusetts General Law, including but not  
128 limited to, chapter 183, section 42 or the forms set forth in the appendix thereto, or chapter 192,

129 section 2; any Federal statute; or any regulation adopted pursuant to any such Massachusetts or  
130 Federal statute.

131 (g) This section does not require a notary public to use the forms set forth above if the form of  
132 acknowledgment, jurat, signature witnessing, or copy certification if a document contains an  
133 alternative form from another State if the document is to be filed or recorded in, or governed by  
134 the laws of, that other State.

135 (h) This section does not require a notary public to use the forms set forth above if the form of  
136 acknowledgment, jurat, signature witnessing, or copy certification appears on a printed form  
137 that contains an express prohibition against altering that form.

138 Section 16. (a) A notary public may certify the affixation of a signature by mark on a document  
139 presented for notarization if:

140 (1) the principal affixes the mark in the presence of the notary public and of 2 witnesses  
141 unaffected by the document;

142 (2) both witnesses sign their own names beside the mark;

143 (3) the notary writes below the mark: "Mark affixed by (name of signer by mark) in the  
144 presence of (names and addresses of witnesses) and undersigned notary pursuant to Executive  
145 Order No. 455; and

146 (4) the notary public notarizes the signature by mark through an acknowledgment, jurat, or  
147 signature witnessing.

148 (b) The notary public may sign the name of a principal who is physically unable to sign or make  
149 a mark on a document presented for notarization if:

150 (1) the principal directs the notary to do so in the presence of 2 witnesses who are unaffected by  
151 the document;

152 (2) the principal does not have a demeanor that causes the notary public to have a compelling  
153 doubt about whether the principal knows the consequences of the transaction requiring the  
154 notarial act;

155 (3) in the notary public's judgment, the principal is acting of his or her own free will;

156 (4) the notary public signs the principal's name in the presence of the principal and the  
157 witnesses;

158 (5) both witnesses sign their own names beside the signature;

159 (6) the notary public writes below the signature: "Signature affixed by notary public in the  
160 presence of (names and addresses of principal and 2 witnesses)"; and

161 (7) the notary public notarizes the signature through an acknowledgment, jurat, or signature  
162 witnessing.

163 Section 17. (a) A notary public shall not perform a notarial act if:

164 (1) in the notary public's judgment, the principal is not acting of his or her own free will;

165 (2) the notary public is a party to or is named in the document that is to be notarized, except that  
166 a notary public may notarize a document if the notary public is named in the document for the  
167 sole purpose of receiving notices relating to the document and except that a notary public who is  
168 licensed as an attorney in the Commonwealth of Massachusetts and is named as an executor,  
169 trustee or in any fiduciary capacity in a document or employees of such attorney may perform  
170 notarial acts concerning such document;

171 (3) the notary public will receive as a direct result of the notarial act any commission, fee,  
172 advantage, right, title, interest, cash, property, or other consideration exceeding in value the fees  
173 set forth in section 41 of chapter 262 of the General Laws or has any financial interest in the  
174 subject matter of the document. For example, this section shall not preclude a notary public

175 who is licensed as an attorney in the Commonwealth of Massachusetts or any employee of such  
176 attorney from notarial acts concerning any document where the attorney receives a legal fee for  
177 professional legal services rendered in connection with such document.

178 (4) the notary public is a spouse, domestic partner, parent, guardian, child, or sibling of the  
179 principal, including in-law, step, or half relatives, except where such persons witness a will or  
180 other legal document prepared by the notary public who is an attorney licensed in the  
181 Commonwealth of Massachusetts.

182 (5) A notary public shall not refuse to perform a notarial act solely based on the principal's race,  
183 advanced age, gender, sexual orientation, religion, national origin, health, disability, or status as  
184 a non-client or non-customer of the notary public or the notary public's employer.

185 (6) A notary public shall not execute a certificate containing information known or believed by  
186 the notary public to be false.

187 (7) A notary public shall not provide or send a signed or sealed notarial certificate to another  
188 person with the understanding that it will be completed or attached to a document outside of the  
189 notary public's presence. (b) In connection with a commercial, non-consumer transaction, a  
190 notary public may deliver a signed, sealed, or signed and sealed notarial certificate to an  
191 attorney with the understanding that: (i) the attorney will attach the certificate to a document  
192 outside of the notary's presence; (ii) the attorney will hold such notarial certificate in escrow;  
193 and (iii) the attorney informs the notary public that the attorney will obtain the approval of the  
194 principal, or principals, involved before attaching the certificate to the document.

195 (8) A notary public shall not notarize a signature on a blank or incomplete document, except as  
196 provided in 7(b) above.

197 (9) A notary public shall not perform any official act with the intent to deceive or defraud.

198 (10) A notary public shall not claim to have powers, qualifications, rights, or privileges that the  
199 office of notary public does not provide, including the power to counsel on immigration matters.

200 Section 18. (a) No notary public may represent or advertise himself or herself as a legal  
201 specialist unless the individual is an attorney. No notary public shall make any statement that  
202 the person can or will obtain special favors from or has special influence with any government  
203 agency. No notary public shall make a literal translation of his or her status as “licensed” or as a  
204 “notary public” into a language other than English without regard to the true meaning of the  
205 word or phrase in the language that is being translated, including but not limited to use of the  
206 words or titles “notary public,” “notary,” “licensed,” “attorney,” “lawyer,” or any other terms  
207 that imply that the person is an attorney, in any document, including an advertisement,  
208 stationery, letterhead, business card, or other comparable written material describing the  
209 individual.

210 (b) A notary public shall not offer legal advice or advise clients as to their immigration status;  
211 secure or attempt to secure supporting documents, such as birth certificates, necessary to  
212 complete a client’s immigration forms; or submit completed immigration forms on a client’s  
213 behalf to any governmental agency. A notary public may translate the questions presented on an  
214 immigration form for a client and may complete those forms at the explicit direction of the  
215 client only where translation of the client’s answers is necessary. Prior to providing services  
216 related to an immigration matter, a notary public shall provide a client with written statement  
217 that states “I am not an attorney licensed to practice law. I may not give you legal advice or  
218 advise you about immigration policies or procedures. You should seek the advice of a qualified  
219 attorney to assist you with any legal questions or questions about immigrating to the United  
220 States.”

221 (c) The following persons are exempt from these restrictions provided they prove the exemption  
222 by a preponderance of the evidence:

223 (1) An attorney licensed to practice law in any state or territory of the United States, or of any  
224 foreign country when authorized by the supreme judicial court, to the extent the attorney renders  
225 immigration assistance service in the course of his or her practice as an attorney.

226 (2) A legal intern or law student, employed by and under the direct supervision of a licensed  
227 attorney and rendering immigration assistance service in the course of the intern's or student's  
228 employment.

229 (3) A not-for-profit organization recognized by the attorney general or the secretary of the  
230 commonwealth and the United States internal revenue service.

231 (4) Any organization employing or desiring to employ an alien or nonimmigrant alien, where  
232 the organization, its employees or its agents provide advice or assistance in immigration matters  
233 to alien or nonimmigrant alien employees or potential employees without compensation from  
234 the individuals to whom such advice or assistance is provided.

235 (d) A non-attorney notary public shall not assist a non-attorney in drafting, completing,  
236 selecting, or understanding a document or transaction requiring a notarial act, rendering legal  
237 advice, or otherwise engage in the practice of law. This section does not preclude a notary  
238 public who is duly qualified, trained, or experienced in a particular industry or professional field  
239 from selecting, drafting, completing, or advising on a document or certificate related to a matter  
240 within that industry or field.

241 (e) A notary public who is not an attorney licensed to practice law in Massachusetts, or who is  
242 not directly supervised by an attorney, shall not conduct a real estate closing and shall not act as

243 a real estate closing agent. A notary public who is employed by a lender may notarize a  
244 document in conjunction with the closing of his or her employer's real estate loans.

245 (f) The attorney general may prosecute any person committing a violation under this section.  
246 Any person convicted of violating this section shall be punished for a first offense by a fine of  
247 not more than \$1,000 or by imprisonment in the house of corrections for not more than 6  
248 months, or by both such fine and imprisonment, and for subsequent offenses by a fine of not  
249 more than \$5,000 or by imprisonment in the house of corrections for not more than 1 year, or by  
250 both such fine and imprisonment. The attorney general may file a petition for injunctive relief  
251 against any person who violates this section. Any conviction based on a violation of this section  
252 shall be grounds for the revocation of a notary's appointment. The attorney general or the  
253 secretary of the commonwealth may file a petition with a court, either concurrently with any  
254 complaint under this section or subsequent to any such conviction, to revoke a notary's  
255 appointment. A person having an interest or right that is or may be adversely affected by a  
256 violation of this section may initiate an action for private remedies and, if the attorney general  
257 has not done so, for injunctive relief. A prevailing plaintiff may be awarded punitive damages,  
258 attorney's fees, and costs of bringing an action under this section.

259 Section 19: (a) Any notary public who is not an attorney shall post signs at his or her place of  
260 business, setting forth information in English and in every other language the person provides or  
261 offers to provide services. Each language shall be on a separate sign. Signs shall be posted in a  
262 conspicuous location where the signs will be visible to customers. Each sign shall be at least 12  
263 inches by 20 inches with boldface type or print that prominently states the following  
264 information:

- 265 (1) The individual’s full name, address, and evidence of compliance with the bonding  
266 requirement under section 13(a) of this chapter;
- 267 (2) The statement “I am not an attorney licensed to practice law and may not give legal advice  
268 or accept fees for legal advice.”; and
- 269 (3) The statement “I am not accredited to represent you before the United States Bureau of  
270 Citizenship and Immigration Services and the Immigration Board of Appeals.”

271 (b) Prior to providing services related to an immigration matter, a notary public shall provide  
272 the client with written disclosure in English and the client’s primary language. The disclosure  
273 shall include the notary public’s full name, address, telephone number, agent for service of  
274 process, and evidence of compliance with the bonding requirement under section 13(a) of this  
275 chapter.

276 Section 20. (a) A notary shall perform any notarial act described in these sections for any  
277 person requesting such an act who tenders the fee set forth in section 24 of this chapter or  
278 section 41 of chapter 262 of the General Laws unless:

- 279 (1) the notary public knows or has good reason to believe that the notarial act or the associated  
280 transaction is unlawful;
- 281 (2) the principal has a demeanor that causes the notary public to have a compelling doubt about  
282 whether the principal knows the consequences of the transaction or document requiring the  
283 notarial act;
- 284 (3) the act is prohibited by these sections or other applicable law; or
- 285 (4) the number of notarial acts requested practicably precludes completion of all acts at once, in  
286 which case the notary public shall arrange for later completion of the remaining acts.

287 Section 21. (a) A notary public has neither the duty nor the authority to investigate, ascertain,  
288 or attest to the lawfulness, propriety, accuracy, or truthfulness of a document or transaction  
289 involving a notarial act. Failure of a document to contain the forms of acknowledgment, jurat,  
290 signature witnessing, or copy certification, or otherwise to comply with the requirements set  
291 forth in these sections shall not have any effect on the validity of the underlying document.  
292 Failure of a document to contain the forms of acknowledgment, jurat, signature witnessing, or  
293 copy certification set forth in these sections should not be the basis of refusal to accept the  
294 document for filing, recordation, registration, or acceptance by a third party.

295 Section 22. (a) A notary shall keep, maintain, protect, and provide for lawful inspection a  
296 chronological official journal of notarial acts that is a permanently bound book with numbered  
297 pages, except as otherwise provided in this section. If a principal or witness tells the notary that  
298 he or she is a battered person, the notary shall make a note in the journal that the person's  
299 address shall not be subject to public inspection. A notary public shall keep no more than one  
300 active journal at the same time.

301 (b) For every notarial act, except for the issuance of summons or subpoenas, or the  
302 administration of an oral oath, the notary public shall record in the journal at the time of the  
303 notarization the following:

- 304 (1) the date and time of the notarial act, proceeding, or transaction;  
305 (2) the type of notarial act;  
306 (3) the type, title, or a description of the document, transaction, or proceeding. If multiple  
307 documents are signed by the same principal in the course of a transaction or during a single date  
308 (i.e. real estate closings, mortgage discharges, state laboratory drug analysis certificates, etc.), a

309 single journal entry shall be sufficient;

310 (4) the signature, printed name, and address of each principal and witness;

311 (5) description of the satisfactory evidence of identity of each person including a notation of the  
312 type of identification document, the issuing agency, its serial or identification number, and its  
313 date of issuance or expiration. A notary public shall not record a Social Security or credit card  
314 number in the journal. If the identification number on the document is the person's Social  
315 Security number, instead of including the number, write in the words "Social Security number"  
316 or the acronym "SSN" or a notation if the notary identified the individual on the oath or  
317 affirmation of a credible witness or based on the notary's personal knowledge of the individual;

318 (6) the fee, if any, charged for the notarial act; and the address where the notarization was  
319 performed.

320 (c) A notary public shall record in the journal the circumstances for not completing a notarial  
321 act.

322 (d) A journal shall be recommended as the best practice, but not required, for a notary public  
323 who is an attorney licensed to practice law in the Commonwealth of Massachusetts or employed  
324 by such attorney. These sections shall not be construed in any way to impair or infringe in any  
325 way on the attorney-client privilege or the attorney work product doctrine.

326 Section 23. The journal may be examined without restriction by a law enforcement officer in  
327 the course of an official investigation, subpoenaed by court order, or surrendered at the direction  
328 of the Governor's Office. Nothing in this section shall prevent a notary public from seeking  
329 appropriate judicial protective orders. A notary public shall safeguard the journal and all other  
330 notarial records and surrender or destroy them only by rule of law, by court order, or at the  
331 direction of the Governor's Office. When not in use, the journal shall be kept in a secure area

332 under the exclusive control of the notary public, and shall not be used by any other notary nor  
333 surrendered to an employer upon termination of employment.

334 Section 24. A notary shall keep an official notarial seal or stamp that is the exclusive property  
335 of the notary, which may not be used by any other person. A notary public shall obtain a new  
336 seal or stamp if the notary public renews his or her commission, receives a new commission, or  
337 changes his or her name. The notarial seal or stamp shall include: the notary public's name  
338 exactly as indicated on the commission; the words "notary public," "Commonwealth of  
339 Massachusetts" or "Massachusetts", and "my commission expires on [commission expiration  
340 date]" or "commission expires on [commission expiration date]" or "commission expires  
341 [commission expiration date]"; and a facsimile of the great seal of the Commonwealth of  
342 Massachusetts. Each new notarial seal that uses ink shall, after the date of this Executive Order,  
343 use black ink. A notary public may satisfy the requirements of this section by using a stamp and  
344 a seal that together include all of the information required by this section.

345 Section 25. Fees charged by a notary public for the following services shall not exceed the  
346 specified amount until January 1, 2007, after which time such maximum fees shall be set by the  
347 secretary of the commonwealth:

348 (a) For taking an acknowledgment or proof of a deed, or other instrument, to include the seal  
349 and the writing of the certificate, the sum of \$10 for each signature taken.

350 (b) For administering an oath or affirmation to one person and executing the jurat, including the  
351 seal, the sum of \$10.

352 (c) For all services rendered in connection with the taking of any deposition, the sum of \$20,  
353 and in addition thereto, the sum of \$5 for administering the oath to the witness and the sum of  
354 \$5 for the certificate to the deposition.

355 (d) For every protest for the nonpayment of a promissory note or for the nonpayment or non-  
356 acceptance of a bill of exchange, draft, or check, the sum of \$10.

357 (e) For serving every notice of nonpayment of a promissory note or of nonpayment or non-  
358 acceptance of a bill of exchange, order, draft, or check, the sum of \$5.

359 (f) For recording every protest, the sum of \$5.

360 (g) For certifying a copy of a power of attorney under chapter 201B, the sum of \$10.

361 (h) No fee may be charged to notarize signatures on absentee ballot identification envelopes or  
362 other voting materials.

363 (i) No fee may be charged to a United States military veteran for notarization of an application  
364 or a claim for a pension, allotment, allowance, compensation, insurance, or any other veteran's  
365 benefit.

366 Section 26. When a notary commission expires, is resigned, or is revoked, the notary shall as  
367 soon as reasonably practicable, destroy or deface all notary seals and stamps so that they may  
368 not be used; and retain the notarial journal and records for seven years after the date of  
369 expiration, resignation, or revocation.

370 Section 27. Within 10 days after the change of a notary public's residence, business, mailing  
371 address, or name, the notary shall send to the Office of the Secretary of State a signed notice of  
372 the change, giving both the old and new information.

373 Section 28. A notary public's commission may be revoked for official misconduct as defined in  
374 section 1, or for other good cause, as determined by the Governor with the consent of the  
375 Governor's Council as set forth in Article XXXVII of the Articles of Amendments to the  
376 Massachusetts Constitution.

377 SECTION 2. Chapter 271 of the General Laws is hereby amended by adding the following  
378 section 271:51. Notaries public; misrepresentation, false advertising, improper solicitation,  
379 failure to disclose, acts of fraud.

380 Section 51. Whoever is found guilty of a violation under section 17 of chapter 222 or of any  
381 offense that constitutes a felony under the General Laws may be punished by, in addition to  
382 other authorized fines and punishments, the revocation of the individual's appointment as a  
383 notary public.