

ASSEMBLY BILL NO. 65—COMMITTEE
ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE SECRETARY OF STATE)

FILED DECEMBER 20, 2014

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to notaries public and document preparation services. (BDR 19-445)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to public affairs; making various changes relating to the regulation of notaries public; authorizing the Secretary of State to conduct certain examinations of the records of a document preparation service; revising the definition of “document preparation service” to exclude certain nonprofit organizations, commercial resident agents and collection agencies; making various changes relating to the regulation of document preparation services; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law prohibits persons with certain criminal convictions from becoming
2 notaries public and provides for the revocation of the appointment of notaries
3 public who are convicted of certain crimes. (NRS 240.010, 240.150) **Sections 1**
4 **and 6** of this bill clarify that those convictions include a conviction that follows a
5 plea of nolo contendere or no contest. **Section 1** also prohibits the Secretary of
6 State from appointing as a notary public a person whose previous appointment as a
7 notary public in this State or another state has been revoked for cause.

8 Existing law prohibits a person who has not been appointed as a notary public
9 from representing himself or herself as a notary public. (NRS 240.010) **Section 1**
10 expands this prohibition to include those persons whose appointment has expired or
11 been suspended or revoked, and provides a civil penalty for such a violation.

12 Existing law requires that applicants for appointment as notaries public
13 complete 4 hours of instruction relating to the functions and duties of notaries
14 public. (NRS 240.018) **Section 3** of this bill shortens the course to 3 hours and



15 requires an examination. **Section 3** also requires a person renewing his or her
16 appointment as a notary public to retake the course, and allows the Secretary of
17 State to require a notary public who has violated any provision of chapter 240 of
18 NRS to retake the course. Additionally, **section 3** authorizes the Secretary of State
19 to use an outside vendor to administer the course and examination. **Section 6.5** of
20 this bill makes similar conforming changes to the course and examination
21 requirements for an electronic notary public.

22 Existing law prohibits certain actions by notaries public. (NRS 240.075)
23 **Section 4** of this bill prohibits a notary public from affixing his or her stamp to any
24 document which does not contain a notarial certificate.

25 Existing law prohibits the use of the Spanish term “notario” or “notario
26 publico” in any signage or advertisement by a notary public who is not also an
27 attorney licensed to practice law in this State. (NRS 240.085) **Section 5** of this bill
28 extends this prohibition to the employers of notaries public, and requires the
29 imposition of a civil penalty for violating such a prohibition.

30 Existing law requires that a person who wishes to register a documentation
31 preparation service must be a citizen or legal resident of the United States. (NRS
32 240A.100) **Section 9** of this bill allows a person who holds employment
33 authorization from the United States Citizenship and Immigration Services to
34 register a documentation preparation service. **Section 9** also provides that an
35 application for registration that is not completed within 6 months must be denied.
36 Finally, **section 9** prohibits the Secretary of State from registering as a document
37 preparation service any person whose previous registration as a document
38 preparation service in this State or another state has been revoked for cause.

39 Existing law exempts certain persons from registering as a documentation
40 preparation service. (NRS 240A.030) **Section 8** of this bill clarifies which nonprofit
41 organizations and commercial registered agents are not required to register and
42 adds collection agencies to the list of such persons.

43 Existing law requires that a document prepared by a documentation preparation
44 service must include the name, address, phone number and registration number of
45 the document preparation service. (NRS 240A.200) **Section 11** of this bill deletes
46 this requirement but requires a document preparation service to provide this
47 information on any document on which the information is requested.

48 **Section 7** of this bill specifically authorizes the Secretary of State to inspect the
49 documents required to be maintained by document preparation services to ensure
50 compliance with the law.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 240.010 is hereby amended to read as follows:
2 240.010 1. The Secretary of State may appoint notaries
3 public in this State.

4 2. The Secretary of State shall not appoint as a notary public a
5 person:

6 (a) Who submits an application containing a substantial and
7 material misstatement or omission of fact.

8 (b) Whose previous appointment as a notary public in this State
9 *or another state* has been revoked **H for cause.**



1 (c) Who, except as otherwise provided in subsection 3, has been
2 convicted of ~~§~~, ***or entered a plea of guilty, guilty but mentally ill***
3 ***or nolo contendere to:***

4 (1) A crime involving moral turpitude; or

5 (2) Burglary, conversion, embezzlement, extortion, forgery,
6 fraud, identity theft, larceny, obtaining money under false pretenses,
7 robbery or any other crime involving misappropriation of the
8 identity or property of another person or entity,

9 ➔ if the Secretary of State is aware of such a conviction ***or plea***
10 before the Secretary of State makes the appointment.

11 (d) Against whom a complaint that alleges a violation of a
12 provision of this chapter is pending.

13 (e) Who has not submitted to the Secretary of State proof
14 satisfactory to the Secretary of State that the person has enrolled in
15 and successfully completed a course of study provided pursuant to
16 NRS 240.018.

17 3. A person who has been convicted of ***, or entered a plea of***
18 ***guilty, guilty but mentally ill or nolo contendere to,*** a crime
19 involving moral turpitude may apply for appointment as a notary
20 public if the person provides proof satisfactory to the Secretary of
21 State that:

22 (a) More than 10 years have elapsed since the date of the
23 person's release from confinement or the expiration of the period of
24 his or her parole, probation or sentence, whichever is later;

25 (b) The person has made complete restitution for his or her
26 crime involving moral turpitude, if applicable;

27 (c) The person possesses his or her civil rights; and

28 (d) The crime for which the person was convicted ***or entered a***
29 ***plea*** is not one of the crimes enumerated in subparagraph (2) of
30 paragraph (c) of subsection 2.

31 4. A notary public may cancel his or her appointment by
32 submitting a written notice to the Secretary of State.

33 5. It is unlawful for a person to:

34 (a) Represent himself or herself as a notary public appointed
35 pursuant to this section if the person has not received a certificate of
36 appointment from the Secretary of State pursuant to this chapter ~~§~~,
37 ***or if his or her appointment is expired, revoked or suspended or is***
38 ***otherwise not in good standing.***

39 (b) Submit an application for appointment as a notary public
40 that contains a substantial and material misstatement or omission of
41 fact.

42 6. ***Any person who violates a provision of paragraph (a) of***
43 ***subsection 5 is liable for a civil penalty of not more than \$2,000***
44 ***for each violation, plus reasonable attorney's fees and costs.***



1 7. The Secretary of State may request that the Attorney General
2 bring an action to enjoin any violation of paragraph (a) of subsection
3 5 ~~H~~ *and recover any penalties, attorney's fees and costs.*

4 **Sec. 2.** NRS 240.015 is hereby amended to read as follows:

5 240.015 1. Except as otherwise provided in this section, a
6 person appointed as a notary public must:

7 (a) During the period of his or her appointment, be a citizen of
8 the United States or lawfully admitted for permanent residency in
9 the United States as verified by the United States Citizenship and
10 Immigration Services.

11 (b) Be a resident of this State.

12 (c) Be at least 18 years of age.

13 (d) Possess his or her civil rights.

14 *(e) Have completed a course of study pursuant to*
15 *NRS 240.018.*

16 2. If a person appointed as a notary public ceases to be lawfully
17 admitted for permanent residency in the United States during his or
18 her appointment, the person shall, within 90 days after his or her
19 lawful admission has expired or is otherwise terminated, submit to
20 the Secretary of State evidence that the person is lawfully
21 readmitted for permanent residency as verified by the United States
22 Citizenship and Immigration Services. If the person fails to submit
23 such evidence within the prescribed time, the person's appointment
24 expires by operation of law.

25 3. The Secretary of State may appoint a person who resides in
26 an adjoining state as a notary public if the person:

27 (a) Maintains a place of business in the State of Nevada that is
28 licensed pursuant to chapter 76 of NRS and any applicable business
29 licensing requirements of the local government where the business
30 is located; or

31 (b) Is regularly employed at an office, business or facility
32 located within the State of Nevada by an employer licensed to do
33 business in this State.

34 ➔ If such a person ceases to maintain a place of business in this
35 State or regular employment at an office, business or facility located
36 within this State, the Secretary of State may suspend the person's
37 appointment. The Secretary of State may reinstate an appointment
38 suspended pursuant to this subsection if the notary public submits to
39 the Secretary of State, before his or her term of appointment as a
40 notary public expires, the information required pursuant to
41 subsection 2 of NRS 240.030.

42 **Sec. 3.** NRS 240.018 is hereby amended to read as follows:

43 240.018 1. The Secretary of State may:

44 (a) Provide courses of study for the mandatory training of
45 notaries public. Such courses of study ~~must~~ :



1 (1) *Must* include at least ~~4~~ 3 hours of instruction *and an*
2 *examination* relating to the functions and duties of notaries public
3 ~~4~~; *and*

4 (2) *May be conducted in person or online by the Secretary*
5 *of State or a vendor approved by the Secretary of State.*

6 (b) Charge a reasonable fee to each person who enrolls in a
7 course of study for the mandatory training of notaries public.

8 2. A course of study provided pursuant to this section must
9 comply with the regulations adopted pursuant to subsection 1 of
10 NRS 240.017.

11 3. The following persons are required to enroll in and
12 successfully complete a course of study provided pursuant to this
13 section:

14 (a) A person applying for appointment as a notary public for the
15 first time.

16 (b) A person renewing his or her appointment as a notary public
17 ~~. If the appointment has expired for a period greater than 1 year.~~

18 (c) A person ~~renewing his or her appointment as a notary~~
19 ~~public, if during the immediately preceding 4 years the person has~~
20 ~~been fined for failing to comply with a statute or regulation of this~~
21 ~~State relating to notaries public.~~

22 ~~→ A person who holds a current appointment as a notary public is~~
23 ~~not required to enroll in and successfully complete a course of study~~
24 ~~provided pursuant to this section if the person is in compliance with~~
25 ~~all of the statutes and regulations of this State relating to notaries~~
26 ~~public.] who has committed a violation of this chapter or whose~~
27 *appointment as a notary public has been suspended, and who has*
28 *been required by the Secretary of State to enroll in a course of*
29 *study provided pursuant to this section.*

30 4. The Secretary of State shall deposit the fees collected
31 pursuant to paragraph (b) of subsection 1 in the Notary Public
32 Training Account which is hereby created in the State General Fund.
33 The Account must be administered by the Secretary of State. Any
34 interest and income earned on the money in the Account, after
35 deducting any applicable charges, must be credited to the Account.
36 Any money remaining in the Account at the end of a fiscal year does
37 not revert to the State General Fund, and the balance in the Account
38 must be carried forward. All claims against the Account must be
39 paid as other claims against the State are paid. The money in the
40 Account may be expended:

41 (a) To pay for expenses related to providing courses of study for
42 the mandatory training of notaries public, including, without
43 limitation, the rental of rooms and other facilities, advertising, travel
44 and the printing and preparation of course materials; or

45 (b) For any other purpose authorized by the Legislature.



1 5. At the end of each fiscal year, the Secretary of State shall
2 reconcile the amount of the fees collected pursuant to paragraph (b)
3 of subsection 1 and the expenses related to administering the
4 training of notaries public pursuant to this chapter and deposit any
5 excess fees received with the State Treasurer for credit to the State
6 General Fund.

7 **Sec. 4.** NRS 240.075 is hereby amended to read as follows:

8 240.075 A notary public shall not:

9 1. Influence a person to enter or not enter into a lawful
10 transaction involving a notarial act performed by the notary public.

11 2. Certify an instrument containing a statement known by the
12 notary public to be false.

13 3. Perform any act as a notary public with intent to deceive or
14 defraud, including, without limitation, altering the journal that the
15 notary public is required to keep pursuant to NRS 240.120.

16 4. Endorse or promote any product, service or offering if his or
17 her appointment as a notary public is used in the endorsement or
18 promotional statement.

19 5. Certify photocopies of a certificate of birth, death or
20 marriage or a divorce decree.

21 6. Allow any other person to use his or her notary's stamp.

22 7. Allow any other person to sign the notary's name in a
23 notarial capacity.

24 8. Perform a notarial act on a document that contains only a
25 signature.

26 9. Perform a notarial act on a document, including a form that
27 requires the signer to provide information within blank spaces,
28 unless the document has been filled out completely and has been
29 signed.

30 10. Make or note a protest of a negotiable instrument unless the
31 notary public is employed by a depository institution and the protest
32 is made or noted within the scope of that employment. As used in
33 this subsection, "depository institution" has the meaning ascribed to
34 it in NRS 657.037.

35 *11. Affix his or her stamp to any document which does not*
36 *contain a notarial certificate.*

37 **Sec. 5.** NRS 240.085 is hereby amended to read as follows:

38 240.085 1. Every notary public who is not an attorney
39 licensed to practice law in this State and who advertises his or her
40 services as a notary public in a language other than English by any
41 form of communication, except a single plaque on his or her desk,
42 shall post or otherwise include with the advertisement a notice in the
43 language in which the advertisement appears. The notice must be of
44 a conspicuous size, if in writing, and must appear in substantially
45 the following form:



1 I AM NOT AN ATTORNEY IN THE STATE OF
2 NEVADA. I AM NOT LICENSED TO GIVE LEGAL
3 ADVICE. I MAY NOT ACCEPT FEES FOR GIVING
4 LEGAL ADVICE.
5

6 2. A notary public who is not an attorney licensed to practice
7 law in this State shall not use the term “notario,” “notario publico”
8 or any other equivalent non-English term in any form of
9 communication that advertises his or her services as a notary public,
10 including, without limitation, a business card, stationery, notice and
11 sign.

12 3. If the Secretary of State finds a notary public guilty of
13 violating the provisions of subsection 1 or 2, the Secretary of State
14 shall:

15 (a) Suspend the appointment of the notary public for not less
16 than 1 year.

17 (b) Revoke the appointment of the notary public for a third or
18 subsequent offense.

19 *(c) Assess a civil penalty of not more than \$2,000 for each*
20 *violation.*

21 4. A notary public who is found guilty in a criminal
22 prosecution of violating subsection 1 or 2 shall be punished by a
23 fine of not more than \$2,000.

24 *5. An employer of a notary public shall not:*

25 *(a) Prohibit the notary public from meeting the requirements*
26 *set forth in subsection 1; or*

27 *(b) Advertise using the term “notario,” “notario publico” or*
28 *any other equivalent non-English term in any form of*
29 *communication that advertises notary public services, including,*
30 *without limitation, a business card, stationery, notice and sign,*
31 *unless the notary public under his or her employment is an*
32 *attorney licensed to practice law in this State.*

33 *6. If the Secretary of State finds the employer of the notary*
34 *public guilty of violating a provision of subsection 5, the Secretary*
35 *of State shall:*

36 *(a) Notify the employer in writing of the violation and order*
37 *the immediate removal of such language.*

38 *(b) Assess a civil penalty of not more than \$2,000 for each*
39 *violation.*

40 *7. The employer of a notary public who is found guilty in a*
41 *criminal prosecution of violating a provision of subsection 5 shall*
42 *be punished by a fine of not more than \$2,000.*

43 **Sec. 6.** NRS 240.150 is hereby amended to read as follows:

44 240.150 1. For misconduct or neglect in a case in which a
45 notary public appointed pursuant to the authority of this State may



1 act, either by the law of this State or of another state, territory or
2 country, or by the law of nations, or by commercial usage, the
3 notary public is liable on his or her official bond to the parties
4 injured thereby, for all the damages sustained.

5 2. The employer of a notary public may be assessed a civil
6 penalty by the Secretary of State of not more than \$2,000 for each
7 violation specified in subsection 4 committed by the notary public,
8 and the employer is liable for any damages proximately caused by
9 the misconduct of the notary public, if:

10 (a) The notary public was acting within the scope of his or her
11 employment at the time the notary public engaged in the
12 misconduct; and

13 (b) The employer of the notary public consented to the
14 misconduct of the notary public.

15 3. The Secretary of State may refuse to appoint or may suspend
16 or revoke the appointment of a notary public who fails to provide to
17 the Secretary of State, within a reasonable time, information that the
18 Secretary of State requests from the notary public in connection
19 with a complaint which alleges a violation of this chapter.

20 4. Except as otherwise provided in this chapter, for any willful
21 violation or neglect of duty or other violation of this chapter, or
22 upon proof that a notary public has been convicted of, *or entered a*
23 *plea of guilty, guilty but mentally ill or nolo contendere to*, a crime
24 described in paragraph (c) of subsection 2 of NRS 240.010:

25 (a) The appointment of the notary public may be suspended for
26 a period determined by the Secretary of State, but not exceeding the
27 time remaining on the appointment;

28 (b) The appointment of the notary public may be revoked after a
29 hearing; or

30 (c) The notary public may be assessed a civil penalty of not
31 more than \$2,000 for each violation.

32 5. If the Secretary of State revokes or suspends the
33 appointment of a notary public pursuant to this section, the
34 Secretary of State shall:

35 (a) Notify the notary public in writing of the revocation or
36 suspension;

37 (b) Cause notice of the revocation or suspension to be published
38 on the website of the Secretary of State; and

39 (c) If a county clerk has issued a certificate of permission to
40 perform marriages to the notary public pursuant to NRS 122.064,
41 notify the county clerk of the revocation or suspension.

42 6. Except as otherwise provided by law, the Secretary of State
43 may assess the civil penalty that is authorized pursuant to this
44 section upon a notary public whose appointment has expired if the



1 notary public committed the violation that justifies the civil penalty
2 before his or her appointment expired.

3 7. The appointment of a notary public may be suspended or
4 revoked by the Secretary of State pending a hearing if the Secretary
5 of State believes it is in the public interest or is necessary to protect
6 the public.

7 **Sec. 6.5.** NRS 240.195 is hereby amended to read as follows:

8 240.195 1. Except as otherwise provided in subsection 2, an
9 applicant for appointment as an electronic notary public must
10 successfully:

11 (a) Complete a course of study that is in accordance with the
12 requirements of subsection 5; and

13 (b) Pass an examination at the completion of the course.

14 2. The following persons ~~must~~ *are required to enroll in and*
15 successfully complete a course of study as required pursuant to
16 subsection 1:

17 (a) A person applying for his or her first appointment as an
18 electronic notary public;

19 (b) A person renewing his or her appointment as an electronic
20 notary public ; ~~if the appointment as an electronic notary public has~~
21 ~~been expired for a period of more than 1 year;~~ and

22 (c) A person ~~renewing his or her appointment as an electronic~~
23 ~~notary public if, during the 4 years immediately preceding the~~
24 ~~application for renewal, the Secretary of State took action against~~
25 ~~the person pursuant to NRS 240.150 for failing to comply with any~~
26 ~~provision of this chapter or any regulations adopted pursuant~~
27 ~~thereto.~~

28 *↪ A person renewing his or her appointment as an electronic notary*
29 *public need not successfully complete a course of study as required*
30 *pursuant to subsection 1 if the appointment as an electronic notary*
31 *public has been expired for a period of 1 year or less.} who has*
32 *committed a violation of this chapter or whose appointment or an*
33 *electronic notary public has been suspended, and who has been*
34 *required by the Secretary of State to enroll in a course of study*
35 *provided pursuant to this section.*

36 3. A course of study required to be completed pursuant to
37 subsection 1 must:

38 (a) Include at least 3 hours of instruction;

39 (b) Provide instruction in electronic notarization, including,
40 without limitation, notarial law and ethics, technology and
41 procedures;

42 (c) Include an examination of the course content;

43 (d) Comply with the regulations adopted pursuant to NRS
44 240.206; and

45 (e) Be approved by the Secretary of State.



1 4. The Secretary of State may, with respect to a course of study
2 required to be completed pursuant to subsection 1:

3 (a) Provide such a course of study; and

4 (b) Charge a reasonable fee to each person who enrolls in such a
5 course of study.

6 5. A course of study provided pursuant to this section ~~must~~ :

7 (a) **Must** satisfy the criteria set forth in subsection 3 and comply
8 with the requirements set forth in the regulations adopted pursuant
9 to NRS 240.206.

10 (b) *May be provided in person or online by the Secretary of*
11 *State or a vendor approved by the Secretary of State.*

12 6. The Secretary of State shall deposit the fees collected
13 pursuant to paragraph (b) of subsection 4 in the Notary Public
14 Training Account created pursuant to NRS 240.018.

15 **Sec. 7.** Chapter 240A of NRS is hereby amended by adding
16 thereto a new section to read as follows:

17 *The Secretary of State may conduct periodic, special or any*
18 *other examinations of any records required to be maintained*
19 *pursuant to this chapter or any other provisions of NRS pertaining*
20 *to the duties of a registrant as the Secretary of State deems*
21 *necessary to determine whether a violation of this chapter or any*
22 *other provision of NRS pertaining to the duties of a registrant has*
23 *occurred.*

24 **Sec. 8.** NRS 240A.030 is hereby amended to read as follows:

25 240A.030 1. "Document preparation service" means a person
26 who:

27 (a) For compensation and at the direction of a client, provides
28 assistance to the client in a legal matter, including, without
29 limitation:

30 (1) Preparing or completing any pleading, application or
31 other document for the client;

32 (2) Translating an answer to a question posed in such a
33 document;

34 (3) Securing any supporting document, such as a birth
35 certificate, required in connection with the legal matter; or

36 (4) Submitting a completed document on behalf of the client
37 to a court or administrative agency; or

38 (b) Holds himself or herself out as a person who provides such
39 services.

40 2. The term does not include:

41 (a) A person who provides only secretarial or receptionist
42 services.

43 (b) An attorney authorized to practice law in this State, or an
44 employee of such an attorney who is paid directly by the attorney or



1 law firm with whom the attorney is associated and who is acting in
2 the course and scope of that employment.

3 (c) A law student certified by the State Bar of Nevada for
4 training in the practice of law.

5 (d) A governmental entity or an employee of such an entity who
6 is acting in the course and scope of that employment.

7 (e) A nonprofit organization *formed pursuant to title 7 of NRS*
8 which ~~qualifies as~~ *the Secretary of the Treasury has determined*
9 *is* a tax-exempt organization pursuant to 26 U.S.C. § 501(c) and
10 which provides legal services to persons free of charge, or an
11 employee of such an organization who is acting in the course and
12 scope of that employment.

13 (f) A legal aid office or lawyer referral service operated,
14 sponsored or approved by a duly accredited law school, a
15 governmental entity, the State Bar of Nevada or any other bar
16 association which is representative of the general bar of the
17 geographical area in which the bar association exists, or an
18 employee of such an office or service who is acting in the course
19 and scope of that employment.

20 (g) A military legal assistance office or a person assigned to
21 such an office who is acting in the course and scope of that
22 assignment.

23 (h) A person licensed by or registered with an agency or entity
24 of the United States Government acting within the scope of his or
25 her license or registration, including, without limitation, an
26 accredited immigration representative and an enrolled agent
27 authorized to practice before the Internal Revenue Service, but not
28 including a bankruptcy petition preparer as defined by section 110
29 of the United States Bankruptcy Code, 11 U.S.C. § 110.

30 (i) A corporation, limited-liability company or other entity
31 representing or acting for itself through an officer, manager,
32 member or employee of the entity, or any such officer, manager,
33 member or employee who is acting in the course and scope of that
34 employment.

35 (j) A commercial wedding chapel.

36 (k) A person who provides legal forms or computer programs
37 that enable another person to create legal documents.

38 (l) A commercial registered agent ~~H~~ *while carrying out his or*
39 *her duties as a commercial registered agent pursuant to chapter 77*
40 *of NRS or acting within the scope of those duties.*

41 (m) A person who holds a license, permit, certificate,
42 registration or any other type of authorization required by chapter
43 645 or 692A of NRS, or any regulation adopted pursuant thereto,
44 and is acting within the scope of that authorization.



1 *(n) A collection agency that is licensed pursuant to chapter*
2 *649 of NRS.*

3 3. As used in this section:

4 (a) "Commercial registered agent" has the meaning ascribed to it
5 in NRS 77.040.

6 (b) "Commercial wedding chapel" means a permanently affixed
7 structure which operates a business principally for the performance
8 of weddings and which is licensed for that purpose.

9 **Sec. 9.** NRS 240A.100 is hereby amended to read as follows:

10 240A.100 1. A person who wishes to engage in the business
11 of a document preparation service must be registered by the
12 Secretary of State pursuant to this chapter. An applicant for
13 registration must be a citizen or legal resident of the United States
14 *or hold a valid Employment Authorization Document issued by the*
15 *United States Citizenship and Immigration Services, and be* at least
16 18 years of age.

17 2. The Secretary of State shall not register as a document
18 preparation service any person:

19 (a) Who is suspended or has previously been disbarred from the
20 practice of law in any jurisdiction;

21 (b) Whose registration as a document preparation service *in this*
22 *State or another state* has previously been revoked ~~by the~~
23 ~~Secretary of State;~~ *for cause;*

24 (c) Who has previously been convicted of, *or entered a plea of*
25 *guilty, guilty but mentally ill or nolo contendere to,* a gross
26 misdemeanor pursuant to paragraph (b) of subsection 1 of NRS
27 240A.290; or

28 (d) Who has, within the 10 years immediately preceding the date
29 of the application for registration as a document preparation service,
30 been:

31 (1) Convicted of, *or entered a plea of guilty, guilty but*
32 *mentally ill or nolo contendere to,* a crime involving theft, fraud or
33 dishonesty;

34 (2) Convicted of, *or entered a plea of guilty, guilty but*
35 *mentally ill or nolo contendere to,* the unauthorized practice of law
36 pursuant to NRS 7.285 or the corresponding statute of any other
37 jurisdiction; or

38 (3) Adjudged by the final judgment of any court to have
39 committed an act involving theft, fraud or dishonesty.

40 3. An application for registration as a document preparation
41 service must be made under penalty of perjury on a form prescribed
42 by regulation of the Secretary of State and must be accompanied
43 by a cash bond or surety bond meeting the requirements of
44 NRS 240A.120.



1 4. After the investigation of the history of the applicant is
2 completed, the Secretary of State shall issue a certificate of
3 registration if the applicant is qualified for registration and has
4 complied with the requirements of this section. Each certificate of
5 registration must bear the name of the registrant and a registration
6 number unique to that registrant. The Secretary of State shall
7 maintain a record of the name and registration number of each
8 registrant.

9 *5. An application for registration as a document preparation*
10 *service that is not completed within 6 months after the date on*
11 *which the application was submitted must be denied.*

12 **Sec. 10.** NRS 240A.110 is hereby amended to read as follows:

13 240A.110 1. The registration of a document preparation
14 service is valid for 1 year after the date of issuance of the certificate
15 of registration, unless the registration is suspended or revoked.
16 Except as otherwise provided in this section, the registration may be
17 renewed subject to the same conditions as the initial registration. An
18 application for renewal must be made under penalty of perjury on a
19 form prescribed by regulation of the Secretary of State and must be
20 accompanied by a cash bond or surety bond meeting the
21 requirements of NRS 240A.120, unless the bond previously filed by
22 the registrant remains on file and in effect.

23 2. *The registration of a registrant who holds a valid*
24 *Employment Authorization Document issued by the United States*
25 *Citizenship and Immigration Services must expire on the date on*
26 *which that person's employment authorization expires.*

27 3. The Secretary of State may:

28 (a) Conduct any investigation of a registrant that the Secretary
29 of State deems appropriate.

30 (b) Require a registrant to submit a complete set of fingerprints
31 and written permission authorizing the Secretary of State to forward
32 the fingerprints to the Central Repository for Nevada Records of
33 Criminal History for submission to the Federal Bureau of
34 Investigation for its report.

35 ~~3.~~ 4. After any investigation of the history of a registrant is
36 completed, unless the Secretary of State elects or is required to deny
37 renewal pursuant to this section or NRS 240A.270, the Secretary of
38 State shall renew the registration if the registrant is qualified for
39 registration and has complied with the requirements of this section.

40 **Sec. 11.** NRS 240A.200 is hereby amended to read as follows:

41 240A.200 ~~Any~~ *If a document prepared for a client by a*
42 *registrant ~~must include, below any required signature of the client,~~*
43 *includes a place on the document for the registrant to provide*
44 *information, including, without limitation,* the name, business
45 address , ~~and~~ telephone number and registration number of the



1 registrant **H** , *the registrant shall include the requested*
2 *information on the document.*

3 **Sec. 12.** 1. The provisions of NRS 240.018, as amended by
4 section 3 of this act, do not apply to a notary public whose
5 appointment as a notary public expires before July 1, 2015.

6 2. The provisions of NRS 240.195, as amended by section 6.5
7 of this act, do not apply to an electronic notary public whose
8 appointment as an electronic notary public expires before July 1,
9 2015.

10 **Sec. 13.** This act becomes effective on July 1, 2015.

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