

**ASSEMBLY BILL 468 (LRB -0946)**

An Act to create 137.01 (1) (i), (j) and (k) of the statutes; relating to: notaries public who are not attorneys and providing penalties. (FE)

**2007**

- 07-26. A. Introduced by Representatives **Colon, Zepnick, Albers, Townsend, Hahn, Kessler, Fields, Staskunas, Montgomery, Turner and Sheridan**; cosponsored by Senators **Lehman, Hansen, Taylor, Miller, Grothman and Coggs**.
- 07-26. A. Read first time and referred to committee on Judiciary and Ethics ..... 247
- 08-10. A. Fiscal estimate received.
- 08-15. A. Fiscal estimate received.

**2008**

- 01-31. A. Public hearing held.
- 01-31. A. Executive action taken.
- 02-11. A. Report passage recommended by committee on Judiciary and Ethics, Ayes 10, Noes 0 ..... 498
- 02-11. A. Referred to committee on Rules ..... 498
- 02-21. A. Placed on calendar 2-26-2008 by committee on Rules.
- 02-26. A. Read a second time ..... 556
- 02-26. A. Ordered to a third reading ..... 556
- 02-26. A. Rules suspended ..... 556
- 02-26. A. Read a third time and **passed** ..... 556
- 02-26. A. Ordered immediately messaged ..... 556
- 02-27. S. Received from Assembly ..... 626
- 02-28. S. Read first time and referred to committee on Judiciary, Corrections, and Housing ..... 631
- 03-06. S. Public hearing held.
- 03-11. S. Executive action taken.
- 03-11. S. Report concurrence recommended by committee on Judiciary, Corrections, and Housing, Ayes 5, Noes 0 ..... 2
- 03-11. S. Available for scheduling.
- 03-11. S. Placed on calendar 3-12-2008 by committee on Senate Organization.
- 03-12. S. Read a second time.
- 03-12. S. Ordered to a third reading.
- 03-12. S. Rules suspended.
- 03-12. S. Read a third time and **concurred in**.
- 03-12. S. Ordered immediately messaged.
- 03-12. A. Received from Senate concurred in.

2007

ENROLLED BILL

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ADOPTED DOCUMENTS:

Orig     Engr         SubAmdt     

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Amendments to above (if none, write "NONE"): None

Corrections - show date (if none, write "NONE"): None

Topic Rel

3-14-08                      JRM  
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## 2007 ASSEMBLY BILL 468

July 26, 2007 – Introduced by Representatives COLON, ZEPNICK, ALBERS, TOWNSEND, HAHN, KESSLER, FIELDS, STASKUNAS, MONTGOMERY, TURNER and SHERIDAN, cosponsored by Senators LEHMAN, HANSEN, TAYLOR, MILLER, GROTHMAN and COGGS. Referred to Committee on Judiciary and Ethics.

- 1 **AN ACT to create** 137.01 (1) (i), (j) and (k) of the statutes; **relating to:** notaries  
2 public who are not attorneys and providing penalties.

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### *Analysis by the Legislative Reference Bureau*

Under current law, attorneys and nonattorneys may become notaries public. A U.S. resident who is 18 years of age or older and not an attorney may submit a fee of \$20 to the secretary of state to become a notary public. Currently, the person must have the equivalent of an eighth grade education, be familiar with the duties and responsibilities of a notary public, and not have an arrest or conviction record. A qualified applicant is required to take and file an official oath and execute a bond in the sum of \$500.

This bill prohibits a notary public who is not an attorney from acting in the following ways that would make someone think that he or she is licensed to practice law:

1. Stating or implying that he or she is licensed to practice law in this state.
2. Soliciting or accepting compensation to prepare documents for or to represent another person in a judicial or administrative proceeding.
3. Soliciting or accepting compensation to obtain relief of any kind on behalf of another person from an officer, agent, or employee of the federal government, the state, or a political subdivision of the state.
4. Advertising his or her services as a notary public in a language other than English or using certain phrases, including “notario” and “notarizaciones” on signs or written communication, without adding a statement that he or she is not an attorney and listing the fees that the statutes specify a notary public may charge.

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The bill exempts notaries public accredited by the U.S. Board of Immigration Appeals as representatives of certain qualified organizations from the prohibitions under items 2. and 3. above.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report concerning the proposed penalty and the costs or savings that are likely to result if the bill is enacted.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

1           **SECTION 1.** 137.01 (1) (i), (j) and (k) of the statutes are created to read:

2           137.01 (1) (i) A notary public appointed under this subsection may not do any  
3 of the following:

4           1. State or imply that he or she is an attorney licensed to practice law in this  
5 state.

6           2. Solicit or accept compensation to prepare documents for or otherwise  
7 represent the interests of another person in a judicial or administrative proceeding,  
8 including a proceeding relating to immigration to the United States or U.S.  
9 citizenship.

10          3. Solicit or accept compensation to obtain relief of any kind on behalf of another  
11 person from any officer, agent, or employee of this state, a political subdivision of this  
12 state, or the United States.

13          4. Use the phrase “notario,” “notarizaciones,” “notarizamos,” or “notario  
14 publico,” or otherwise advertise in a language other than English on signs,  
15 pamphlets, stationery, or other written communication, by radio or television, or on  
16 the Internet his or her services as a notary public if the advertisement fails to include,  
17 in English and the language of the advertisement, all of the following:

