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SENATE BILL 54

52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015

INTRODUCED BY

Jacob R. Candelaria

AN ACT

RELATING TO NOTARY PUBLIC SERVICES; AMENDING THE NOTARY PUBLIC ACT TO CONFORM ALLOWABLE MILEAGE FEES WITH FEDERAL STANDARDS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 14-12A-16 NMSA 1978 (being Laws 2003, Chapter 286, Section 16) is amended to read:

"14-12A-16. FEES.--

A. For performing a notarial act, a notary public may charge the maximum fee specified in this section, charge less than the maximum fee or waive the fee.

B. A notary public shall not discriminate by conditioning the fee for a notarial act on the attributes of the principal.

C. An employer shall not establish fees for notarial services that are in excess of those specified in this

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1 section nor on the attributes of the principal as delineated.

2 D. The maximum fees that may be charged by a notary
3 public for notarial acts are:

4 (1) for acknowledgments, five dollars (\$5.00)
5 per acknowledgment;

6 (2) for oaths or affirmations without a
7 signature, five dollars (\$5.00) per person;

8 (3) for jurats, five dollars (\$5.00) per
9 jurat; and

10 (4) for copy certifications, fifty cents
11 (\$.50) per page with a minimum total charge of five dollars
12 (\$5.00).

13 E. A notary public may charge a travel fee [~~not to~~
14 ~~exceed thirty cents (\$.30) per mile]~~ up to the internal revenue
15 service standard mileage rate set January 1 of the previous
16 year for each mile traveled in a privately owned vehicle when
17 traveling to perform a notarial act if:

18 (1) the notary public and the person
19 requesting the notarial act agree upon the travel fee in
20 advance of the travel; and

21 (2) the notary public explains to the person
22 requesting the notarial act that the travel fee is separate
23 from the notarial fees and not mandated by law."

24 SECTION 2. EFFECTIVE DATE.--The effective date of the
25 provisions of this act is July 1, 2015.

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