

By: Representative Aguirre

To: Judiciary A

HOUSE BILL NO. 1156

1 AN ACT TO BE KNOWN AS THE "REVISED MISSISSIPPI LAW ON
2 NOTARIAL ACTS"; TO DEFINE CERTAIN TERMS; TO PRESCRIBE THE NOTARIAL
3 ACTS THAT A NOTARIAL OFFICER MAY PERFORM; TO AUTHORIZE NOTARIAL
4 OFFICERS TO CHARGE A FEE NOT EXCEEDING \$5.00 FOR SERVICES
5 RENDERED; TO REQUIRE INDIVIDUALS REQUESTING CERTAIN NOTARIAL
6 SERVICES TO PHYSICALLY APPEAR BEFORE THE NOTARIAL OFFICER; TO
7 REQUIRE NOTARIAL OFFICERS TO DETERMINE THE IDENTITY OF THE PERSON
8 APPEARING BEFORE THE OFFICER AND TO PRESCRIBE ACCEPTABLE FORMS OF
9 IDENTIFICATION; TO AUTHORIZE NOTARIAL OFFICERS TO REFUSE TO
10 PERFORM CERTAIN ACTS; TO AUTHORIZE AN INDIVIDUAL WHO IS PHYSICALLY
11 UNABLE TO SIGN A RECORD BEFORE A NOTARIAL OFFICER TO DIRECT
12 ANOTHER PERSON TO SIGN ON THE INDIVIDUAL'S BEHALF; TO AUTHORIZE
13 NOTARIAL ACTS TO BE PERFORMED BY NOTARIES PUBLIC, ELECTED JUDGES
14 AND CLERKS OF COURT AND THE SECRETARY OF STATE; TO RECOGNIZE
15 CERTAIN QUALIFIED NOTARIAL ACTS PERFORMED UNDER THE AUTHORITY OF
16 ANOTHER STATE, FEDERALLY RECOGNIZED INDIAN TRIBE, THE FEDERAL
17 GOVERNMENT AND FOREIGN STATES; TO REQUIRE A NOTARIAL ACT TO BE
18 EVIDENCED BY A CERTIFICATE; TO REQUIRE NOTARIES PUBLIC TO HAVE AN
19 OFFICIAL SEAL, TO PROCURE A STAMPING DEVICE AND TO MAINTAIN A
20 JOURNAL OF NOTARIAL ACTS; TO AUTHORIZE NOTARIES PUBLIC TO PERFORM
21 NOTARIAL ACTS WITH RESPECT TO ELECTRONIC RECORDS; TO AUTHORIZE
22 INDIVIDUALS TO APPLY TO THE SECRETARY OF STATE FOR A COMMISSION AS
23 A NOTARY PUBLIC AND TO PRESCRIBE THE MINIMUM QUALIFICATIONS; TO
24 AUTHORIZE THE SECRETARY OF STATE TO DENY OR REVOKE A COMMISSION AS
25 A NOTARY PUBLIC FOR CERTAIN SPECIFIED ACTS; TO REQUIRE THE
26 SECRETARY OF STATE TO MAINTAIN AN ELECTRONIC DATABASE OF NOTARIES
27 PUBLIC; TO PROHIBIT NOTARIES PUBLIC FROM ACTING IN CERTAIN
28 CAPACITIES AND PERFORMING CERTAIN ACTS; TO SPECIFY THAT A NOTARIAL
29 ACT IS NOT INVALIDATED DUE TO A FAILURE OF A NOTARIAL OFFICER TO
30 PERFORM CERTAIN STATUTORY DUTIES; TO AUTHORIZE THE SECRETARY OF
31 STATE TO ADOPT RULES NECESSARY TO IMPLEMENT THE REVISED
32 MISSISSIPPI LAW ON NOTARIAL ACTS; TO CLARIFY THAT A COMMISSION AS
33 A NOTARY PUBLIC IN EFFECT ON JULY 1, 2021, CONTINUES UNTIL ITS
34 EXPIRATION, AT WHICH TIME A RENEWAL OF THE COMMISSION MUST COMPLY



35 WITH THIS ACT; TO CLARIFY THAT THIS ACT WILL NOT AFFECT THE
36 VALIDITY OR EFFECT OF NOTARIAL ACTS PERFORMED BEFORE JULY 1, 2021;
37 TO SPECIFY THAT THIS ACT SUPERSEDES CERTAIN FEDERAL STATUTES
38 REGARDING ELECTRONIC SIGNATURES IN COMMERCE; TO AMEND SECTION
39 25-7-1, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PRECEDING
40 PROVISIONS; TO REPEAL SECTIONS 25-33-1 THROUGH 25-33-33,
41 MISSISSIPPI CODE OF 1972, WHICH AUTHORIZE THE APPOINTMENT OF
42 NOTARIES PUBLIC AND PRESCRIBE THEIR POWERS AND DUTIES; TO REPEAL
43 SECTION 25-7-29, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES
44 NOTARIES PUBLIC TO CHARGE FEES FOR CERTAIN SERVICES; TO AMEND
45 SECTION 89-3-1, MISSISSIPPI CODE OF 1972, TO REVISE PROOF
46 NECESSARY TO RECORDING; TO AMEND SECTION 89-3-7, MISSISSIPPI CODE
47 OF 1972, TO CONFORM THE FORMS OF ACKNOWLEDGMENT TO THIS ACT; TO
48 AMEND SECTION 89-5-8, MISSISSIPPI CODE OF 1972, TO CONFORM
49 PROVISIONS CONCERNING AFFIDAVITS RELATING TO IDENTIFICATION,
50 MARITAL STATUS, HEIRSHIP OR OTHER MATTERS AFFECTING TITLE TO REAL
51 PROPERTY; TO REPEAL SECTION 89-3-3, MISSISSIPPI CODE OF 1972,
52 WHICH PROVIDES FOR ACKNOWLEDGMENT AND PROOF NECESSARY FOR
53 RECORDATION; TO REPEAL SECTION 89-3-5, MISSISSIPPI CODE OF 1972,
54 WHICH PROVIDES FOR ACKNOWLEDGMENTS BEFORE COMMISSIONED OFFICERS OF
55 UNITED STATES ARMED FORCES; TO REPEAL SECTION 89-3-9, MISSISSIPPI
56 CODE OF 1972, WHICH PROVIDES FOR FOREIGN ACKNOWLEDGMENTS; TO
57 REPEAL SECTION 89-3-11, MISSISSIPPI CODE OF 1972, WHICH CLARIFIES
58 THE CONSTRUCTION OF CERTAIN FOREIGN ACKNOWLEDGMENTS; TO REPEAL
59 SECTION 89-3-13, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR
60 ACKNOWLEDGMENTS OR PROOF MADE IN A FOREIGN COUNTRY; TO REPEAL
61 SECTION 89-3-15, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR
62 PROOF IN THE ABSENCE OF ANY GRANTOR OR WITNESS; AND FOR RELATED
63 PURPOSES.

64 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

65 **SECTION 1.** This act shall be known and may be cited as the
66 "Revised Mississippi Law on Notarial Acts."

67 **SECTION 2.** As used in this act, the following words and
68 phrases have the meanings ascribed in this section unless the
69 context clearly requires otherwise:

70 (a) "Acknowledgment" means a declaration by an
71 individual in person before a notarial officer that the individual
72 has signed a record for the purpose stated in the record and, if
73 the record is signed in a representative capacity, that the



74 individual signed the record with proper authority and signed it
75 as the act of the individual or entity identified in the record.

76 (b) "Electronic" means relating to technology having
77 electrical, digital, magnetic, wireless, optical, electromagnetic
78 or similar capabilities.

79 (c) "Electronic signature" means an electronic symbol,
80 sound or process attached to or logically associated with a record
81 and executed or adopted by an individual with the intent to sign
82 the record.

83 (d) "In a representative capacity" means acting as:

84 (i) An authorized officer, manager, member, agent,
85 partner, trustee or other representative for a person other than
86 an individual;

87 (ii) A public officer, personal representative,
88 guardian or other representative, in the capacity stated in a
89 record;

90 (iii) An agent or attorney-in-fact for a
91 principal; or

92 (iv) An authorized representative of another in
93 any other capacity.

94 (e) "Notarial act" means an act, whether performed with
95 respect to a tangible or electronic record, that a notarial
96 officer may perform under this act and any other law of this
97 state.



98 (f) "Notarial officer" means a notary public or other
99 individual authorized to perform a notarial act.

100 (g) "Notary public" means an individual commissioned to
101 perform a notarial act by the Secretary of State.

102 (h) "Official seal" means a physical image affixed to a
103 tangible record or an electronic image attached to or logically
104 associated with an electronic record.

105 (i) "Record" means information that is inscribed on a
106 tangible medium or that is stored in an electronic or other medium
107 and is retrievable in perceivable form.

108 (j) "Sign" means, with present intent to authenticate
109 or adopt a record:

110 (i) To execute or adopt a tangible symbol; or

111 (ii) To attach to or logically associate with the
112 record an electronic symbol, sound or process.

113 (k) "Signature" means a tangible symbol or an
114 electronic signature that evidences the signing of a record.

115 (l) "Stamping device" means:

116 (i) A physical device capable of affixing to a
117 tangible record an official seal; or

118 (ii) An electronic device or process capable of
119 attaching to or logically associating an official seal with an
120 electronic record.

121 (m) "State" means a state of the United States, the
122 District of Columbia, Puerto Rico, the United States Virgin



123 Islands or any territory or insular possession subject to the
124 jurisdiction of the United States.

125 (n) "Verification on oath or affirmation," formerly
126 known as a jurat, means a declaration, made by an individual on
127 oath or affirmation before a notarial officer, that a statement in
128 a record is true.

129 **SECTION 3.** This act applies to a notarial act performed on
130 or after July 1, 2021.

131 **SECTION 4.** (1) A notarial officer may perform the following
132 notarial acts:

133 (a) Take acknowledgements;

134 (b) Administer oaths and affirmations;

135 (c) Take verifications on oath or affirmation;

136 (d) Certify depositions of witnesses;

137 (e) Witness or attest signatures;

138 (f) Make or note a protest of a negotiable instrument;

139 (g) Make an affidavit regarding the truth of any
140 witnesses or attested signatures in question along with any
141 corrected language and, if the authenticity or correctness of
142 language affects real property, file the same in the land records
143 in the office of the chancery clerk where the land is located; and

144 (h) Any other acts so authorized by the law of this
145 state.

146 (2) A notarial officer may not perform a notarial act when
147 the officer:



148 (a) Is a party to the record being notarized;

149 (b) Is a spouse, child, sibling, parent, grandparent,
150 grandchild, aunt or uncle, or niece or nephew, including a son or
151 daughter-in-law, a mother or father-in-law, a stepchild or
152 stepparent, or a half-sibling, of the person whose signature is
153 being notarized or the person taking a verification on oath or
154 affirmation from the officer; or

155 (c) Will receive as a direct result any commission,
156 fee, advantage, right, title, beneficial interest, cash, property
157 or other consideration exceeding in value the fees required by
158 rules established by the Secretary of State.

159 (3) A notarial officer is not disqualified from performing a
160 notarial act by virtue of his or her profession when the officer:

161 (a) Is an employee performing a notarial act on behalf
162 of, or which benefits, the employer;

163 (b) Is an attorney who maintains an attorney-client
164 relationship with the person whose signature is the subject of the
165 notarial act; or

166 (c) Is a shareholder of a corporation or member of a
167 limited liability company which is a party to a record that is the
168 subject of the notarial act.

169 (4) A notarial act performed in violation of subsection (2)
170 is voidable.

171 **SECTION 5.** A notarial officer may charge a fee in an amount
172 not to exceed Five Dollars (\$5.00) for services rendered unless



173 otherwise prohibited by law or by rules promulgated by the
174 Secretary of State.

175 **SECTION 6.** (1) A notarial officer who takes an
176 acknowledgment of a record, takes a verification of a statement on
177 oath or affirmation (jurat), or witnesses or attests to a
178 signature, must determine, from personal knowledge or satisfactory
179 evidence of the identity of the individual, that the individual
180 appearing in person before the officer has the identity claimed
181 and that the signature on the record is the signature of the
182 individual.

183 (2) A notarial officer who makes or notes a protest of a
184 negotiable instrument must determine the matters set forth in
185 Section 75-3-505(b).

186 **SECTION 7.** If a notarial act relates to a statement made in
187 or a signature executed on a record, the individual making the
188 statement or executing the signature must appear physically in
189 person before the notarial officer at the time of the notarial
190 act.

191 **SECTION 8.** (1) A notarial officer has personal knowledge of
192 the identity of an individual appearing before the officer if the
193 individual is known personally to the officer through dealings
194 sufficient to provide reasonable certainty that the individual has
195 the identity claimed.



196 (2) A notarial officer has satisfactory evidence of the
197 identity of an individual appearing before the officer if the
198 officer can identify the individual by means of inspecting:

199 (a) An unexpired passport, an unexpired driver's
200 license or a driver's license that has not been expired for more
201 than five (5) years, a government-issued nondriver identification
202 card, a Mississippi voter ID card or an unexpired photographic
203 identification card issued by a federally recognized Indian tribe
204 or nation; or

205 (b) Another form of government identification issued to
206 an individual which is not expired, contains the signature and a
207 photograph of the individual, and is satisfactory to the officer.

208 (3) A notarial officer may require an individual to provide
209 additional information or identification credentials necessary to
210 assure the officer of the identity of the individual.

211 **SECTION 9.** (1) A notarial officer may refuse to perform a
212 notarial act if the officer knows or suspects the transaction is
213 illegal, false or deceptive, or if the officer is not satisfied
214 that:

215 (a) The individual executing the record is competent;

216 (b) The individual executing the record has the
217 capacity to execute the record;

218 (c) The individual's signature is knowingly and
219 voluntarily made; or



220 (d) The notarial act is in compliance with this act or
221 with rules issued by the Secretary of State to implement this act.

222 (2) A notarial officer may refuse to perform a notarial act
223 unless refusal is prohibited by any law other than this act.

224 (3) A notary may not be required to perform a notarial act
225 outside the notary's regular workplace or business hours.

226 **SECTION 10.** If an individual is physically unable to sign a
227 record, the individual may direct an individual other than the
228 notarial officer to sign the individual's name on the record. The
229 notarial officer shall insert "Signature affixed by (name of other
230 individual) at the direction of (name of individual)" or words of
231 similar import.

232 **SECTION 11.** (1) A notarial act may be performed in this
233 state by:

234 (a) A notary public of this state;

235 (b) An elected judge, a clerk or deputy clerk of a
236 court of this state; or

237 (c) The Mississippi Secretary of State or a Mississippi
238 Assistant Secretary of State.

239 (2) The signature and title of an individual performing a
240 notarial act in this state are prima facie evidence that the
241 signature is genuine and that the individual holds the designated
242 title.



243 (3) The signature and title of a notarial officer described
244 in subsection (1) conclusively establish the authority of the
245 officer to perform the notarial act.

246 **SECTION 12.** (1) A notarial act performed in another state
247 has the same effect under the law of this state as if performed by
248 a notarial officer of this state, if the act performed in that
249 state is performed by:

250 (a) A notary public of that state;

251 (b) A judge, a clerk or a deputy clerk of a court of
252 that state; or

253 (c) Any other individual authorized by the law of that
254 state to perform the notarial act.

255 (2) The signature and title of an individual performing a
256 notarial act in another state is prima facie evidence that the
257 signature is genuine and that the individual holds the designated
258 title.

259 (3) The signature and title of a notarial officer described
260 in subsection (1)(a) or (b) conclusively establish the authority
261 of the officer to perform the notarial act.

262 **SECTION 13.** (1) A notarial act performed under the
263 authority and in the jurisdiction of a federally recognized Indian
264 tribe has the same effect under the laws of this state as if
265 performed by a notarial officer of this state, if the act
266 performed in the jurisdiction of the tribe is performed by:

267 (a) A notary public authorized by the tribe;



268 (b) A judge, a clerk or a deputy clerk of a court of
269 that tribe; or

270 (c) Any other individual authorized by the law of the
271 tribe to perform the notarial act.

272 (2) The signature and title of an individual performing a
273 notarial act under the authority of and in the jurisdiction of a
274 federally recognized Indian tribe is prima facie evidence that the
275 signature is genuine and that the individual holds the designated
276 title.

277 (3) The signature and title of a notarial officer described
278 in subsection (1)(a) or (b) conclusively establish the authority
279 of the officer to perform the notarial act.

280 **SECTION 14.** (1) A notarial act performed under federal law
281 has the same effect under the laws of this state as if performed
282 by a notarial officer of this state, if the act performed under
283 federal law is performed by:

284 (a) A judge, clerk or deputy clerk of a court;

285 (b) An individual in military service or performing
286 duties under the authority of military service who is authorized
287 to perform notarial acts under federal law;

288 (c) An individual designated a notarizing officer by
289 the United States Department of State for performing notarial acts
290 overseas; or

291 (d) Any other individual authorized by federal law to
292 perform the notarial act.



293 (2) The signature and title of an individual acting under
294 federal authority and performing a notarial act are prima facie
295 evidence that the signature is genuine and that the individual
296 holds the designated title.

297 (3) The signature and title of an officer described in
298 subsection (1)(a), (b) or (c) conclusively establish the authority
299 of the officer to perform the notarial act.

300 **SECTION 15.** (1) In this section, "foreign state" means a
301 government other than the United States, a state of the United
302 States or a federally recognized Indian tribe.

303 (2) If a notarial act is performed under authority and in
304 the jurisdiction of a foreign state or constituent unit of the
305 foreign state or is performed under the authority of a
306 multinational or international governmental organization, the act
307 has the same effect under the law of this state as though
308 performed by a notarial officer of this state.

309 (3) If the title of office and indication of authority to
310 perform notarial acts in a foreign state appears in a digest of
311 foreign law or in a list customarily used as a source for that
312 information, the authority of an officer with that title to
313 perform notarial acts is established conclusively.

314 (4) The signature and official seal of an individual holding
315 an office described in subsection (3) are prima facie evidence
316 that the signature is genuine and the individual holds the
317 designated title.



318 (5) An apostille in the form prescribed by the Hague
319 Convention of October 5, 1961, and issued by a foreign state party
320 to the Convention conclusively establishes that the signature of
321 the notarial officer is genuine and that the officer holds the
322 indicated office.

323 (6) A consular authentication issued by an individual
324 designated by the United States Department of State as a
325 notarizing officer for performing notarial acts overseas and
326 attached to the record with respect to which the notarial act is
327 performed conclusively establishes that the signature of the
328 notarial officer is genuine and that the officer holds the
329 indicated office.

330 **SECTION 16.** (1) A notarial act must be evidenced by a
331 certificate. The certificate must:

332 (a) Be executed contemporaneously with the performance
333 of the notarial act;

334 (b) Be signed and dated by the notarial officer and, if
335 the notarial officer is a notary public, be signed in the same
336 manner as on file with the Secretary of State;

337 (c) Identify the jurisdiction in which the notarial act
338 is performed;

339 (d) Contain the title of office of the notarial
340 officer; and

341 (e) If the notarial officer is a notary public,
342 indicate the date of expiration of the notary public's commission.



343 (2) If a notarial act regarding a tangible record is
344 performed by a notary public, the notary public's official seal
345 must be affixed to the certificate. If a notarial act is
346 performed regarding a tangible record by a notarial officer other
347 than a notary public and the certificate contains the information
348 specified in subsection (1) (b), (c) and (d), the notarial
349 officer's official seal may be affixed to the certificate. If a
350 notarial act regarding an electronic record is performed by a
351 notarial officer and the certificate contains the information
352 specified in subsection (1) (b), (c) and (d), the notarial
353 officer's official seal may be attached to or logically associated
354 with the certificate.

355 (3) The party drafting a record that is the subject of a
356 notarial act is responsible for the form of the certificate, its
357 wording and legal sufficiency. A notary public is not required to
358 draft, edit or amend a certificate where the record presented does
359 not contain an acceptable certificate; instead, the notary must
360 refuse to perform the notarial act with respect to the record.

361 (4) A certificate of a notarial act is sufficient if it
362 meets the requirements of subsections (1) and (2) and:

363 (a) Is in a form otherwise permitted by the law of this
364 state;

365 (b) Is in a form permitted by the law applicable in the
366 jurisdiction in which the notarial act was performed; or



367 (c) Sets forth the actions of the notarial officer and
368 the actions are sufficient to meet the requirements of the
369 notarial act as provided in Sections 4, 5, 6 and 7 of this act or
370 any law of this state other than this act.

371 (5) By executing a certificate of a notarial act, a notarial
372 officer certifies that the officer has complied with the
373 requirements and made the determinations specified in Sections 4,
374 5, 6 and 7 of this act.

375 (6) A notarial officer may not affix the officer's signature
376 to, or logically associate it with, a certificate until the
377 notarial act has been performed.

378 (7) If a notarial act is performed regarding a tangible
379 record, a certificate must be part of, or securely attached to,
380 the record. If a notarial act is performed regarding an
381 electronic record, the certificate must be affixed to, or
382 logically associated with, the electronic record. If the
383 Secretary of State has established standards under Section 20 of
384 this act for attaching, affixing or logically associating the
385 certificate, the process must conform to those standards.

386 (8) The signature of a notarial officer certifying a
387 notarial act may not be deemed evidence to show that the notarial
388 officer had knowledge of the contents of the record so signed,
389 other than those specific contents which constitute the signature,
390 execution, acknowledgment, oath, affirmation, affidavit,



391 verification or other act which the signature of that notarial
392 officer chronicles.

393 **SECTION 17.** (1) Every notary public appointed and
394 commissioned must procure, at his own expense, a suitable official
395 seal. The official seal of a notary public must:

396 (a) Include the notary public's name, jurisdiction,
397 commission expiration date and other information required by the
398 Secretary of State; and

399 (b) Be capable of being copied together with the record
400 to which it is affixed or attached or with which it is logically
401 associated.

402 (2) The board of supervisors of every county must provide an
403 official seal, with the inscription "notary public" around the
404 margin and the image of an eagle in the center, which official
405 seal must be kept in the office of the clerk of the circuit court.
406 A judge, chancellor, clerk or deputy clerk of a court of this
407 state, the Mississippi Secretary of State or an Assistant
408 Secretary of State of this state may use the official seal to
409 perform a notarial act under Section 10(1)(b) or (c) of this act.

410 (3) On the death or adjudication of incompetency of a
411 current or former notary public, the notary public's personal
412 representative or guardian or any other person knowingly in
413 possession of the official seal shall destroy or deface, as soon
414 as reasonably practicable, all official seals of the notary public
415 so that they may not be misused.



416 **SECTION 18.** (1) A notary public is responsible for the
417 security of the notary public's stamping device and may not allow
418 another individual to use the device to perform a notarial act.
419 On resignation from, or the revocation or expiration of, the
420 notary public's commission, or on the expiration of the date set
421 forth in the stamping device, if any, the notary public must
422 disable the stamping device by destroying, defacing, damaging,
423 erasing or securing it against use in a manner that renders it
424 unusable. On the death or adjudication of incompetency of a
425 notary public, the notary public's personal representative or
426 guardian or any other person knowingly in possession of the
427 stamping device must render it unusable by destroying, defacing,
428 damaging, erasing or securing it against use in a manner that
429 renders it unusable.

430 (2) If a notary public's stamping device is lost or stolen,
431 the notary public or the notary public's personal representative
432 or guardian must notify promptly the Secretary of State upon
433 discovery that the device is lost or stolen.

434 **SECTION 19.** (1) A notary public must maintain a journal in
435 which the notary public chronicles all notarial acts that the
436 notary public performs.

437 (2) A journal must be created on a tangible or electronic
438 medium. A notary public shall maintain only one (1) journal at a
439 time to chronicle all notarial acts, whether those notarial acts
440 are performed regarding tangible or electronic records. If the



441 journal is tangible, it must be a permanent, bound register with
442 numbered pages. An electronic journal must conform to
443 specifications set forth in rules by the Secretary of State.

444 (3) An entry in a journal must be made contemporaneously
445 with performance of the notarial act and contain the following
446 information:

447 (a) The date and time of the notarial act;

448 (b) A description of the record, if any, and type of
449 notarial act;

450 (c) The full name and address of each individual for
451 whom the notarial act is performed;

452 (d) If identity of the individual is based on personal
453 knowledge, a statement to that effect;

454 (e) If identity of the individual is based on
455 satisfactory evidence, a brief description of the method of
456 identification and the identification credential presented, if
457 any, including the date of issuance and expiration of any
458 identification credential;

459 (f) The address where the notarial act was performed if
460 not the notary's business address; and

461 (g) The fee, if any, charged by the notary public.

462 (4) If the journal of notary public is lost or stolen, the
463 notary public must notify promptly the Secretary of State upon
464 discovery that the journal is lost or stolen.



465 (5) On resignation from, or the revocation or suspension of,
466 a notary public's commission, the notary public must deposit all
467 journal records with the circuit clerk of the county of residence
468 of the notary public.

469 (6) Upon the death or adjudication of incompetency of a
470 current or former notary public, the notary public's personal
471 representative or guardian or any other person knowingly in
472 possession of the journal shall:

473 (a) Notify the Secretary of State of the death or
474 adjudication in writing; and

475 (b) Within thirty (30) days of death or adjudication of
476 incompetency, transmit all journal records to the circuit clerk of
477 the county of residence of the notary public.

478 **SECTION 20.** (1) A notary public may perform a notarial act
479 with respect to electronic records pursuant to this act.

480 (2) The Secretary of State has the sole power to determine
481 the methods by which notarial acts with respect to electronic
482 records may be implemented in this state. Those methods must be
483 set forth in rules promulgated by the Secretary of State.

484 (3) A notary public seeking to perform notarial acts with
485 respect to electronic records must file an additional registration
486 with the Secretary of State subsequent to being granted a notary
487 commission.

488 **SECTION 21.** (1) An individual qualified under subsection
489 (2) may apply to the Secretary of State for a commission as a



490 notary public. The applicant must comply with and provide the
491 information required by rules established by the Secretary of
492 State and pay any application fee.

493 (2) An applicant for a commission as a notary public must:

494 (a) Be at least eighteen (18) years of age;

495 (b) Be a citizen or permanent legal resident of the
496 United States;

497 (c) Be a resident of Mississippi for not less than
498 thirty (30) days immediately preceding the date of the
499 application;

500 (d) Be able to read and write English;

501 (e) Not be disqualified to receive a commission under
502 Section 22 of this act; and

503 (f) Meet such other requirements as the Secretary of
504 State may establish by rule.

505 (3) Before issuance of a commission as a notary public, an
506 applicant for the commission must execute the oath of office
507 prescribed by Section 268 of the Constitution and submit it to the
508 Secretary of State.

509 (4) Before issuance of a commission as a notary public, the
510 applicant for a commission must submit to the Secretary of State
511 an assurance in the form of a surety bond or its functional
512 equivalent in the amount of Five Thousand Dollars (\$5,000.00)
513 pursuant to the rules set forth by the Secretary of State. The
514 assurance must be issued by a surety or other entity licensed by



515 the Mississippi Department of Insurance. The assurance must cover
516 acts performed during the term of the notary public's commission
517 and must be in the form prescribed by the Secretary of State. If
518 a notary public violates a law with respect to notaries public in
519 this state, the surety or issuing entity is liable under the
520 assurance. The surety or issuing entity must give thirty (30)
521 days' notice to the Secretary of State before canceling the
522 assurance. The surety or issuing entity must notify the Secretary
523 of State not later than thirty (30) days after making a payment to
524 a claimant under the assurance. A notary public may perform
525 notarial acts in this state only during the period that a valid
526 assurance is on file with the Secretary of State.

527 (5) On compliance with this section, the Secretary of State
528 shall issue a commission as a notary public to an applicant for a
529 term of four (4) years.

530 (6) A commission to act as a notary public authorizes the
531 notary public to perform notarial acts. The commission does not
532 provide the notary public any immunity or benefit conferred by the
533 laws of this state on public officials or employees.

534 **SECTION 22.** (1) The Secretary of State may deny, refuse to
535 renew, revoke, suspend or impose a condition on a commission as
536 notary public for any act or omission that demonstrates the
537 individual lacks the honesty, integrity, competence or reliability
538 to act as a notary public, including:

539 (a) Failure to comply with this act;



540 (b) A fraudulent, dishonest or deceitful misstatement
541 or omission in the application for a commission as a notary public
542 submitted to the Secretary of State;

543 (c) A conviction of any felony, including a plea of
544 nolo contendere, of the applicant or notary public, unless
545 released from incarceration more than ten (10) years before the
546 commission is to take effect or, if no incarceration is ordered,
547 more than ten (10) years from the conviction date have passed;

548 (d) A conviction, including a plea of nolo contendere,
549 of the applicant or notary public for any crime determined by the
550 Secretary of State to be of a nature incompatible with the duties
551 of a notary public;

552 (e) Failure by the notary public to discharge any duty
553 required of a notary public, whether required by this act, rules
554 of the Secretary of State or any federal or state law;

555 (f) Use of false or misleading advertising or
556 representation by the notary public representing that the notary
557 has a duty, right or privilege that the notary does not have;

558 (g) Violation by the notary public of a rule of the
559 Secretary of State regarding a notary public;

560 (h) Denial, refusal to renew, revocation, suspension or
561 conditioning of a notary public commission in another state;

562 (i) Failure of the notary public to maintain an
563 assurance as provided in Section 21(4) of this act; or



564 (j) Failure to maintain and protect the notary's
565 journal as required by this act and any rules promulgated by the
566 Secretary of State under this act.

567 (2) If the Secretary of State denies, refuses to renew,
568 revokes, suspends or imposes conditions on a commission as a
569 notary public, the applicant or notary public is entitled to file
570 an appeal in proper form with the Secretary of State within
571 forty-five (45) days after the Secretary of State's action, except
572 that an applicant may not appeal when the Secretary of State,
573 within five (5) years preceding the application, has:

574 (a) Denied or revoked for disciplinary reasons any
575 previous application, commission or license of the applicant; or

576 (b) Made a finding under this act that the grounds for
577 revocation of the applicant's commission existed.

578 (3) The authority of the Secretary of State to deny, refuse
579 to renew, suspend, revoke or impose conditions on a commission as
580 a notary public does not prevent a person from seeking and
581 obtaining other criminal or civil remedies provided by law.

582 **SECTION 23.** The Secretary of State must maintain an
583 electronic database of notaries public:

584 (a) Through which a person may verify the authority of
585 a notary public to perform notarial acts; and

586 (b) Which indicates whether a notary public has
587 notified the Secretary of State that the notary public will be
588 performing notarial acts on electronic records.



589 SECTION 24. (1) A commission as a notary public does not
590 authorize an individual to:

591 (a) Assist persons in drafting legal records, give
592 legal advice or otherwise practice law;

593 (b) Act as an immigration consultant or an expert on
594 immigration matters;

595 (c) Represent a person in a judicial or administrative
596 proceeding relating to immigration to the United States, United
597 States citizenship or related matters; or

598 (d) Receive compensation for performing any of the
599 activities listed in this subsection.

600 (2) A notary public may not engage in false or deceptive
601 advertising.

602 (3) A notary public who is not an attorney licensed to
603 practice law in this state may not use the term "notario" or
604 "notario publico."

605 (4) A notary public who is not an attorney licensed to
606 practice law in this state may not advertise or represent that the
607 notary public may assist persons in drafting legal records, give
608 legal advice or otherwise practice law. If a notary public who is
609 not an attorney licensed to practice law in this state in any
610 manner advertises or represents that the notary public offers
611 notarial services, whether orally or in a record, including
612 broadcast media, print media and the Internet, the notary public
613 must include the following statement, or an alternate statement



614 authorized or required by the Secretary of State, in the
615 advertisement or representation, prominently and in each language
616 used in the advertisement or representation: "I am not an
617 attorney licensed to practice law in this state. I am not allowed
618 to draft legal records, give advice on legal matters, including
619 immigration, or charge a fee for those activities." If the form
620 of advertisement or representation is not broadcast media, print
621 media or the Internet and does not permit inclusion of the
622 statement required by this subsection because of size, it must be
623 displayed prominently or provided at the place of performance of
624 the notarial act before the notarial act is performed.

625 (5) Except as otherwise allowed by law, a notary public may
626 not withhold access to or possession of an original record
627 provided by a person that seeks performance of a notarial act by
628 the notary public.

629 (6) Failure to comply with subsections (1) through (5)
630 constitutes an unfair or deceptive act under Section 75-24-5.

631 (7) A person who knowingly and willfully violates
632 subsections (1) through (5) is guilty of a misdemeanor, and upon
633 conviction, shall be fined in an amount not to exceed One Thousand
634 Dollars (\$1,000.00).

635 (8) Upon a second conviction of any person under subsections
636 (1) through (5), the offenses being committed within a period of
637 five (5) years, the person is guilty of a misdemeanor, and upon
638 conviction, shall be punished by imprisonment in the county jail



639 for a period not to exceed one (1) year or a fine in an amount not
640 to exceed One Thousand Dollars (\$1,000.00), or both.

641 (9) Upon a third or subsequent conviction of any person for
642 violation of subsections (1) through (5), the offenses being
643 committed within a period of five (5) years, the person is guilty
644 of a felony, and upon conviction, shall be punished by confinement
645 in the custody of the Mississippi Department of Corrections for a
646 period not to exceed five (5) years or a fine in an amount not to
647 exceed Five Thousand Dollars (\$5,000.00), or both.

648 (10) Criminal convictions in other jurisdictions for
649 violations of substantially similar provisions to those contained
650 in subsections (1) through (5) are counted in computing whether a
651 violation under subsections (1) through (5) is a first, second,
652 third or subsequent offense.

653 **SECTION 25.** Except as otherwise provided in Section 4(2) of
654 this act, the failure of a notarial officer to perform a duty or
655 meet a requirement specified in this act does not invalidate a
656 notarial act performed by the notarial officer. The validity of a
657 notarial act under this act does not prevent an aggrieved person
658 from seeking to invalidate the record or transaction that is the
659 subject of the notarial act or from seeking other remedies based
660 on the laws of this state other than this act or the laws of the
661 United States. This section does not validate a purported
662 notarial act performed by an individual who does not have the
663 authority to perform notarial acts.



664 **SECTION 26.** The Secretary of State may adopt any rules
665 necessary to implement this chapter after complying with the
666 Mississippi Administrative Procedures Law.

667 **SECTION 27.** A commission as a notary public in effect on
668 July 1, 2021, continues until its date of expiration. A notary
669 public who applies to renew a commission as a notary public on or
670 after July 1, 2021, is subject to and must comply with this act.
671 A notary public, in performing notarial acts after July 1, 2021,
672 must comply with this act.

673 **SECTION 28.** This chapter does not affect the validity or
674 effect of a notarial act performed before July 1, 2021.

675 **SECTION 29.** This chapter modifies, limits and supersedes the
676 Electronic Signatures in Global and National Commerce Act, 15 USC
677 Section 7001 et seq., but does not modify, limit or supersede
678 Section 101(c) of that act, 15 USC Section 7001(c), or authorize
679 electronic delivery of any of the notices described in Section
680 103(b) of that act, 15 USC Section 7003(b).

681 **SECTION 30.** Section 25-7-1, Mississippi Code of 1972, is
682 amended as follows:

683 25-7-1. It shall be lawful for the Clerk of the Supreme
684 Court, the clerks of the circuit and chancery courts, the clerks
685 of the justice court, masters and commissioners in chancery,
686 sheriffs, constables, justice court judges, * * * and other
687 officers and persons named in this chapter to demand, receive, and
688 take the several fees hereinafter mentioned and allowed for any



689 business by them respectively done by virtue of their several
690 offices, and no more.

691 **SECTION 31.** Section 89-3-1, Mississippi Code of 1972, is
692 amended as follows:

693 89-3-1. (1) * * * A document concerning real property or
694 conveying personal property may not be recorded unless, in the
695 case of a paper document, it contains an original signature or
696 signatures, or in the case of an electronic document, contains an
697 electronic signature or signatures that comply with the Uniform
698 Real Property Electronic Recording Act (Article 3, Chapter 5,
699 Title 89, Mississippi Code of 1972). For purposes of this
700 section, the terms "document," "paper document" and "electronic
701 document" have the meaning given in the Uniform Real Property
702 Electronic Recording Act. A document concerning real property or
703 conveying personal property which conforms to this subsection may
704 be recorded if it is acknowledged or proved * * * according to
705 law, or in the case of a document that is an affidavit, verified
706 upon oath or affirmation.

707 (2) * * * The chancery clerk's office may refuse to * * *
708 record a document that does not satisfy subsection (1). However,
709 if * * * a document does not satisfy subsection (1), but is
710 otherwise admitted to record, then all persons shall be on
711 constructive notice of the contents of the * * * document.

712 (3) * * * If the relative priorities of conflicting claims
713 to real property were established before July 1, 2011, then the



714 law applicable to those claims at the time those claims were
715 established shall determine their priority.

716 (4) This section does not require the acknowledgement or
717 verification upon oath or affirmation or prohibit the recording of
718 any of the following filed for record under the Uniform Commercial
719 Code or otherwise specially provided for by law: (a) a financing
720 statement; (b) a security agreement filed as a financing
721 statement; or (c) a continuation statement.

722 **SECTION 32.** Section 89-3-7, Mississippi Code of 1972, is
723 amended as follows:

724 89-3-7. (1) The following long forms of acknowledgment may
725 be used in the case of conveyances or other written instruments
726 affecting real * * * or personal property; and any acknowledgment
727 so taken and certified shall be sufficient to satisfy all
728 requirements of law:

729 (a) In the case of natural persons acting in their own
730 right:

731 "STATE OF _____

732 COUNTY OF _____

733 Personally appeared before me, the undersigned authority in
734 and for the said county and state, on this _____ day of
735 _____, 20_____, within my jurisdiction, the within named
736 _____, who acknowledged that (he) (she) (they) executed the
737 above and foregoing instrument.

738



739 (* * * Signature of notarial officer)

740 _____

741 (Title of office)

742 My commission expires:

743 _____"

744 (Affix official seal, if applicable)

745 (b) In the case of corporations:

746 "STATE OF _____

747 COUNTY OF _____

748 Personally appeared before me, the undersigned authority in
749 and for the said county and state, on this _____ day of
750 _____, 20____, within my jurisdiction, the within named
751 _____, who acknowledged that (he) (she) is _____ of
752 _____, a _____ corporation, and that for and on behalf of
753 the said corporation, and as its act and deed (he) (she) executed
754 the above and foregoing instrument, after first having been duly
755 authorized by said corporation so to do.

756 _____

757 (* * * Signature of notarial officer)

758 _____

759 (Title of office)

760 My commission expires:

761 _____"

762 (Affix official seal, if applicable)



763 (c) In the case of a corporate general partner of a
764 limited partnership:

765 "STATE OF _____

766 COUNTY OF _____

767 Personally appeared before me, the undersigned authority in
768 and for the said county and state, on this _____ day of _____,
769 20_____, within my jurisdiction, the within named _____, who
770 acknowledged to me that (he) (she) is _____ of _____, a
771 _____ corporation and general partner of _____, a _____
772 limited partnership, and that for and on behalf of said
773 corporation as general partner of said limited partnership, and as
774 the act and deed of said corporation as general partner of said
775 limited partnership, and as the act and deed of said limited
776 partnership, (he) (she) executed the above and foregoing
777 instrument, after first having been duly authorized by said
778 corporation and said limited partnership so to do.

779 _____

780 (* * * Signature of notarial officer)

781 _____

782 (Title of office)

783 My commission expires:

784 _____"

785 (Affix official seal, if applicable)

786 (d) In the case of a corporate member of a
787 member-managed limited liability company:



788 "STATE OF _____

789 COUNTY OF _____

790 Personally appeared before me, the undersigned authority in
791 and for the said county and state, on this _____ day of
792 _____, 20_____, within my jurisdiction, the within named
793 _____, who acknowledged to me that (he) (she) is _____ of
794 _____, a _____ corporation and member of _____, a
795 _____ member-managed limited liability company, and that for
796 and on behalf of said corporation as member of said limited
797 liability company, and as the act and deed of said corporation as
798 member of said limited liability company, and as the act and deed
799 of said limited liability company, (he) (she) executed the above
800 and foregoing instrument, after first having been duly authorized
801 by said corporation and said limited liability company so to do.

802 _____

803 (* * * Signature of notarial officer)

804 _____

805 (Title of office)

806 My commission expires:

807 _____"

808 (Affix official seal, if applicable)

809 (e) In the case of a corporate manager of a
810 manager-managed limited liability company:

811 "STATE OF _____

812 COUNTY OF _____



813 Personally appeared before me, the undersigned authority in
814 and for the said county and state, on this _____ day of _____,
815 20_____, within my jurisdiction, the within named_____, who
816 acknowledged to me that (he) (she) is_____ of_____, a
817 _____ corporation and manager of_____, a _____
818 manager-managed limited liability company, and that for and on
819 behalf of said corporation as manager of said limited liability
820 company, and as the act and deed of said corporation as manager of
821 said limited liability company, and as the act and deed of said
822 limited liability company, (he) (she) executed the above and
823 foregoing instrument, after first having been duly authorized by
824 said corporation and said limited liability company so to do.

825 _____

826 (* * *Signature of notarial officer)

827 _____

828 (Title of office)

829 My commission expires:

830 _____"

831 (Affix official seal, if applicable)

832 (f) In the case of persons acting in representative

833 capacities:

834 "STATE OF _____

835 COUNTY OF _____

836 Personally appeared before me, the undersigned authority in

837 and for the said county and state, on this _____ day of



838 _____, 20_____, within my jurisdiction, the within named
839 _____, who acknowledged that (he) (she) is _____ of
840 _____, and that in said representative capacity (he) (she)
841 executed the above and foregoing instrument, after first having
842 been duly authorized so to do.

843 _____

844 (* * *Signature of notarial officer)

845 _____

846 (Title of office)

847 My commission expires:

848 _____"

849 (Affix official seal, if applicable)

850 (g) In the case of proof of execution of the instrument
851 made by a subscribing witness:

852 "STATE OF _____

853 COUNTY OF _____

854 Personally appeared before me, the undersigned authority in
855 and for the said county and state, on this _____ day of
856 _____, 20_____, within my jurisdiction, CD, one of the
857 subscribing witnesses to the above and foregoing instrument, who,
858 being first duly sworn, states that (he) (she) saw the within (or
859 above) named AB, whose name is subscribed thereto, sign and
860 deliver the same to EF (or that (he) (she) heard AB acknowledge
861 that (he) (she) signed and delivered the same to EF); and that the



862 affiant subscribed (his) (her) name as witness thereto in the
863 presence of AB.

864 _____

865 (* * * Signature of notarial officer)

866 _____

867 (Title of office)

868 My commission expires:

869 _____"

870 (Affix official seal, if applicable)

871 (h) In the case of any business organization, foreign
872 or domestic:

873 "STATE OF _____

874 COUNTY OF _____

875 Personally appeared before me, the undersigned authority in
876 and for the said county and state, on this _____ day of
877 _____, 20_____, within my jurisdiction, the within named
878 _____, who proved to me on the basis of satisfactory evidence
879 to be the person(s) whose name(s) is/are subscribed in the above
880 and foregoing instrument and acknowledged that he/she/they
881 executed the same in his/her/their representative capacity(ies),
882 and that by his/her/their signature(s) on the instrument, and as
883 the act and deed of the person(s) or entity(ies) upon behalf of
884 which he/she/they acted, executed the above and foregoing
885 instrument, after first having been duly authorized so to do.

886 _____



887 (* * * Signature of notarial officer)

888 _____

889 (Title of office)

890 My commission expires:

891 _____ "

892 (Affix official seal, if applicable)

893 (2) The following short form certificates of notarial acts
894 are sufficient for the purposes indicated if the certificate
895 complies with Section 16(1) and (2) of the Revised Mississippi Law
896 on Notarial Acts as codified:

897 (a) For an acknowledgment in an individual capacity:

898 "STATE OF _____

899 COUNTY OF _____

900 This record was acknowledged before me on (date) by (name(s) of
901 individual(s)).

902 _____

903 (Signature of notarial officer)

904 _____

905 (Title of office)

906 My commission expires:

907 _____ "

908 (Affix official seal, if applicable)

909 (b) For an acknowledgment in a representative capacity:

910 "STATE OF _____

911 COUNTY OF _____



912 This record was acknowledged before me on (date) by (name(s) of
913 individual(s)) as (type of authority, such as officer or trustee)
914 of (name of party on behalf of whom record was executed).

915 _____
916 (Signature of notarial officer)

917 _____
918 (Title of office)

919 My commission expires:

920 _____"

921 (Affix official seal, if applicable)

922 (c) For a verification on oath or affirmation (jurat):

923 "STATE OF

924 COUNTY OF

925 Signed and sworn to (or affirmed) before me on (date) by (name(s)
926 of individual(s) making statement).

927 _____
928 (Signature of notarial officer)

929 _____
930 (Title of office)

931 My commission expires:

932 _____"

933 (Affix official seal, if applicable)

934 (d) For witnessing or attesting a signature:

935 "STATE OF

936 COUNTY OF



937 Signed or attested before me on (date) by (name(s) of
938 individual(s)).

939 _____
940 (Signature of notarial officer)

941 _____
942 (Title of office)

943 My commission expires:

944 _____"

945 (Affix official seal, if applicable)

946 **SECTION 33.** Section 89-5-8, Mississippi Code of 1972, is
947 amended as follows:

948 89-5-8. (1) Any affidavit containing a statement relating
949 to the identification, the marital status, the heirship, the
950 relation, the death * * * or the time of death of any person who
951 is a party to * * * a document affecting the title to real * * *
952 property, or any affidavit relating to the identification of any
953 corporation or other legal entity which is a party to * * * a
954 document affecting the title to real * * * property, * * * signed
955 by the affiant and verified upon oath or affirmation before * * *
956 a notarial officer, shall be recordable in the land records in the
957 office of the chancery clerk in the county where the real * * *
958 property is situated.

959 (2) (a) Notice of a typographical or other minor error
960 in * * * a document affecting the title to real * * * property may
961 be given by recording an affidavit containing a statement of



962 scrivener's error. If an affidavit is conspicuously identified as
963 an affidavit of scrivener's error, the chancery clerk shall index
964 the affidavit in the general index under the names of the original
965 parties to the * * * document if they are identified in the
966 affidavit, and in the sectional index as provided in the indexing
967 instructions of the affidavit. Notice of the corrective
968 information provided by the affiant is effective upon recordation.
969 An affidavit under this paragraph (a) may be prepared only by an
970 attorney licensed to practice law in this state who prepared
971 any * * * document in the chain of title to the subject real * * *
972 property.

973 (b) The affidavit of scrivener's error shall be * * *
974 signed by the affiant and verified upon oath or affirmation
975 before * * * a notarial officer, and shall be recordable in the
976 land records in the office of the chancery clerk in the county
977 where the real * * * property is situated.

978 (c) If requested, the chancery clerk shall make a
979 marginal notation on the * * * document to which the affidavit
980 refers.

981 (3) Where title to homestead property is in the titled
982 spouse, the nontitled spouse, in lieu of joining the titled spouse
983 in executing a conveyance, mortgage, deed of trust or other
984 encumbrance upon a homestead, may file an affidavit of
985 nonhomestead verified upon oath or affirmation that either: (a)
986 the nontitled spouse, together with the titled spouse, freely and



987 voluntarily abandoned the old homestead and secured and currently
988 together occupy a new homestead residence; or (b) the nontitled
989 spouse freely and voluntarily separated from the titled spouse
990 with no intent to return to the titled spouse or to reside with
991 the titled spouse, either temporarily or permanently, on the
992 titled spouse's homestead, and the nontitled spouse currently
993 maintains and occupies a separate residence.

994 (4) A person who knowingly makes or causes to be made a
995 false statement in an affidavit is guilty of perjury and liable
996 for the actual damages suffered or incurred by any person as a
997 result or consequence of the making of or reliance upon the false
998 affidavit. The court may award punitive damages, costs and
999 attorney's fees.

1000 (5) From and after July 1, 2021, an affidavit recorded under
1001 this section must include a description of the real property
1002 covered by the affidavit.

1003 (* * * 6) Any affidavit so recorded, or a certified copy
1004 thereof, shall be admissible as evidence in any action involving
1005 the * * * document to which it relates or the title to the
1006 real * * * property affected by the * * * document and shall be
1007 prima facie evidence of the facts stated therein and the
1008 marketability of the title to real * * * property.

1009 **SECTION 34.** Section 25-7-29, Mississippi Code of 1972, which
1010 authorizes notaries public to charge fees for certain services, is
1011 repealed.



1012 **SECTION 35.** Sections 25-33-1, 25-33-3, 25-33-5, 25-33-7,
1013 25-33-9, 25-33-11, 25-33-13, 25-33-15, 25-33-17, 25-33-19,
1014 25-33-21, 25-33-23, 25-33-25, 25-33-27, 25-33-29, 25-33-31 and
1015 25-33-33, Mississippi Code of 1972, which authorize the
1016 appointment of notaries public by the Governor and prescribe the
1017 powers and duties of notaries public, are repealed.

1018 **SECTION 36.** Section 89-3-3, Mississippi Code of 1972, which
1019 provides for acknowledgment and proof necessary for recordation,
1020 is repealed.

1021 **SECTION 37.** Section 89-3-5, Mississippi Code of 1972, which
1022 provides for acknowledgments before commissioned officers of
1023 United States Armed Forces, is repealed.

1024 **SECTION 38.** Section 89-3-9, Mississippi Code of 1972, which
1025 provides for foreign acknowledgments, is repealed.

1026 **SECTION 39.** Section 89-3-11, Mississippi Code of 1972, which
1027 clarifies the construction of certain foreign acknowledgments, is
1028 repealed.

1029 **SECTION 40.** Section 89-3-13, Mississippi Code of 1972, which
1030 provides for acknowledgments or proof made in a foreign country,
1031 is repealed.

1032 **SECTION 41.** Section 89-3-15, Mississippi Code of 1972, which
1033 provides for proof in the absence of any grantor or witness, is
1034 repealed.

1035 **SECTION 42.** This act shall take effect and be in force from
1036 and after July 1, 2021.

