

TITLE 32
NOTARIES PUBLIC

CHAPTER 1
Notaries Public

32-1-101. Qualifications; application; term.

(a) The secretary of state shall commission as a notary any qualified person who submits an application in a form prescribed by the secretary of state.

(b) To be qualified for a notarial commission a person shall:

(i) Be at least eighteen (18) years of age;

(ii) Be a resident of the state of Wyoming and the county from which making application;

(iii) Be able to read and write the English language;
and

(iv) Submit an application certifying compliance with the requirements of this subsection, accompanied by a fee of thirty dollars (\$30.00).

(c) A person commissioned as a notary by the secretary of state may perform notarial acts in any part of the state for a term of four (4) years.

(d) A person holding a notarial commission who changes residence to a different county shall procure a new notary commission for the new county of residence.

32-1-102. Name changes.

(a) When a notary changes surnames, the notary may continue to use the notarial commission and seal issued to the notary provided:

(i) When a notary marries or changes surnames, the notary shall file a certified copy of the certificate of marriage or order of name change in the office of the county clerk of the county where the notary resides and send a certified copy of the marriage certificate or order of name change and a three dollar (\$3.00) filing fee to the secretary of

state. The surname of the notary's spouse or the notary's new surname may then be added after the notary's name as it appears on the notary's commission;

(ii) When a notary divorces and the notary's previous name is restored by the court, the notary shall file a certified copy of the divorce decree in the office of the county clerk of the county where the notary resides and send a certified copy of the notary's divorce decree and a three dollar (\$3.00) filing fee to the secretary of state. The notary's restored surname may then be added after the notary's name as it appears on the notary's commission.

(b) Instead of adopting the surname of the notary's spouse, a notary may continue to use or be commissioned as a notary by the name by which the notary is generally known.

32-1-103. Transmittal of notarial commission to county clerks.

The secretary of state shall transmit each notarial commission to the office of the county clerk of the county in which the applicant resides where the commission shall be recorded.

32-1-104. Bond and oath; notary commission forfeited upon failure to obtain another bond.

(a) No notarial commission becomes effective until the applicant files with the county clerk within sixty (60) days after issuance of the commission an oath and bond in the amount of five hundred dollars (\$500.00) conditioned on the faithful performance of the duties of the office. The applicant shall swear or affirm under oath to support the constitution of the United States and the constitution of Wyoming and to faithfully and impartially discharge and perform all the duties of a notary. The bond shall be executed by the applicant and two (2) sureties, to be approved by the county clerk, or by a surety company licensed in this state. Upon the filing of the oath and bond the county clerk shall transmit the notarial commission to the notary and the county clerk shall send a written notice of qualification to the secretary of state.

(b) Upon cancellation of a notarial bond by a surety as a result of claims paid by the surety to persons injured as a result of the bonded notary's negligence or misconduct, the secretary of state shall notify the notary by certified mail return receipt requested that the notary's commission shall be

revoked unless within twenty (20) days after the notary receives the notice the notary files proof with the secretary of state that the notary has secured another bond in the full amount of five hundred dollars (\$500.00).

32-1-105. Powers and jurisdiction.

(a) Repealed By Laws 2011, Ch. 113, § 3.

(b) Repealed By Laws 2011, Ch. 113, § 3.

(c) Repealed By Laws 2011, Ch. 113, § 3.

(d) A Wyoming notary public may administer oaths or proofs of acknowledgment in a contiguous state if that state recognizes the Wyoming notary public's authority within that state to perform those acts. The administration of an oath or proof of acknowledgment performed in Wyoming by a notary public of a contiguous state has the same effect under Wyoming law as if that act were performed by a Wyoming notary public, if that contiguous state grants Wyoming notaries public similar authority within that state. To implement the purposes of this subsection, the secretary of state:

(i) May enter into agreements with contiguous states;
and

(ii) Shall adopt rules and regulations pursuant to the Wyoming Administrative Procedure Act.

(e) In addition to the powers and authority granted to notaries by this chapter, every notary receiving a commission under this chapter shall be a notarial officer and have the powers and authority vested by the Wyoming Uniform Law on Notarial Acts, W.S. 34-26-101 through 34-26-304.

32-1-106. Official seal.

(a) Each notary public before entering upon the duties of his office, shall provide himself with an official seal with which he shall authenticate all his official acts, which seal shall clearly show, when embossed, stamped, impressed or affixed to a document, his name, the words "notary public," the name of the county wherein he resides, and the word "Wyoming," and the seal of a notary public shall not be levied upon or sold. If the notary public changes his county of residence to a different

county than that shown on the seal, he shall have the seal altered to indicate such change.

(b) The seal of every notary public may be affixed by a seal press or stamp that will print or emboss a seal which legibly reproduces under the photographic methods the name of the notary, the words "notary public," the name of the county in which he resides and the word "Wyoming." The seal may be circular not over two (2) inches in diameter or may be a rectangular form of not more than three-fourths of an inch in width by two and one-half (2 1/2) inches in length, with a serrated or milled edged border, and shall contain the information required by this section.

32-1-107. Notary's certificate as presumptive evidence.

In all the courts within this state the certificate of a notary public over his hand and official seal, shall be received as presumptive evidence of the facts contained in such certificate; provided, that any person interested as a party to a suit may contradict, by other evidence, the certificate of a notary public.

32-1-108. Action on notarial bond.

If any person shall be damaged or injured by the unlawful act, negligence or misconduct of any notary public, the person damaged or injured may maintain a civil action on the bond of such notary public against such notary public, and his sureties; and the recovery in such action shall not be a bar to any future action for other cause, to the full amount of the bond.

32-1-109. Notary acting after term expires.

Whoever, having been appointed a notary public, does or performs any act as a notary public, after the expiration of his term of office, knowing that such term of office has expired, shall be fined not more than five hundred dollars (\$500.00) nor less than twenty-five dollars (\$25.00).

32-1-110. Repealed By Laws 2011, Ch. 113, § 3.

32-1-111. Repealed By Laws 2011, Ch. 113, § 3.

32-1-112. Repealed By Laws 2011, Ch. 113, § 3.

32-1-113. Repealed By Laws 2011, Ch. 113, § 3.

32-1-114. Certificate of authentication.

(a) The secretary of state or his designee may sign and issue a certificate of authentication or an apostille evidencing the origin of a public document or the authentication of the official seal or signature of the person or authority in this state that sealed or signed the document.

(b) The secretary of state may affix the great seal of the state to the certificate or apostille.

(c) The secretary of state shall collect a fee of ten dollars (\$10.00) for each certificate or apostille issued pursuant to this section, not to exceed one hundred dollars (\$100.00) per the same transaction or occurrence.

(d) The secretary of state may promulgate rules and regulations to implement this section.

CHAPTER 2
Commissioners of Deeds

32-2-101. Repealed by Laws 1979, ch. 8, § 1.

32-2-102. Repealed by Laws 1979, ch. 8, § 1.

32-2-103. Repealed by Laws 1979, ch. 8, § 1.

32-2-104. Repealed by Laws 1979, ch. 8, § 1.

32-2-105. Repealed by Laws 1979, ch. 8, § 1.