



Sen. Napoleon Harris, III

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09800HB2269sam001

LRB098 10267 JDS 45079 a

1 AMENDMENT TO HOUSE BILL 2269

2 AMENDMENT NO. _____. Amend House Bill 2269 as follows:

3 on page 1, in line 5, by replacing "Section 3-102" with
4 "Sections 3-102 and 3-104"; and

5 on page 9, by replacing lines 2 through 7 with the following:

6 ~~"(1) Beginning July 1, 2013, at the time of notarization, a~~
7 ~~notary public shall officially sign every notary certificate~~
8 ~~and affix the rubber stamp seal clearly and legibly using black~~
9 ~~ink, so that it is capable of photographic reproduction. The~~
10 ~~illegibility of any of the information required by this Section~~
11 ~~does not affect the validity of a transaction.";~~ and

12 on page 9, immediately below line 8, by inserting the
13 following:

14 "(5 ILCS 312/3-104) (from Ch. 102, par. 203-104)

1 Sec. 3-104. Maximum Fee.

2 (a) Except as provided in subsection (b) of this Section,
3 the maximum fee in this State is \$1.00 for any notarial act
4 performed and, until July 1, 2018 ~~2013~~, up to \$25 for any
5 notarial act performed pursuant to Section 3-102.

6 (b) Fees for a notary public, agency, or any other person
7 who is not an attorney or an accredited representative filling
8 out immigration forms shall be limited to the following:

9 (1) \$10 per form completion;

10 (2) \$10 per page for the translation of a non-English
11 language into English where such translation is required
12 for immigration forms;

13 (3) \$1 for notarizing;

14 (4) \$3 to execute any procedures necessary to obtain a
15 document required to complete immigration forms; and

16 (5) A maximum of \$75 for one complete application.

17 Fees authorized under this subsection shall not include
18 application fees required to be submitted with immigration
19 applications.

20 Any person who violates the provisions of this subsection
21 shall be guilty of a Class A misdemeanor for a first offense
22 and a Class 3 felony for a second or subsequent offense
23 committed within 5 years of a previous conviction for the same
24 offense.

25 (c) Upon his own information or upon complaint of any
26 person, the Attorney General or any State's Attorney, or their

1 designee, may maintain an action for injunctive relief in the
2 court against any notary public or any other person who
3 violates the provisions of subsection (b) of this Section.
4 These remedies are in addition to, and not in substitution for,
5 other available remedies.

6 If the Attorney General or any State's Attorney fails to
7 bring an action as provided pursuant to this subsection within
8 90 days of receipt of a complaint, any person may file a civil
9 action to enforce the provisions of this subsection and
10 maintain an action for injunctive relief.

11 (d) All notaries public must provide receipts and keep
12 records for fees accepted for services provided. Failure to
13 provide receipts and keep records that can be presented as
14 evidence of no wrongdoing shall be construed as a presumptive
15 admission of allegations raised in complaints against the
16 notary for violations related to accepting prohibited fees.

17 (Source: P.A. 95-988, eff. 6-1-09.)".