

46:14-7

LEGISLATIVE HISTORY CHECKLIST

WJSA 46:14-7 (Recording of foreign instruments-- Seal of notary)
 LAWS OF 1979 CHAPTER 92
 Bill No. A366
 Sponsor(s) Doyle and Newman
 Date Introduced Pre-filed
 Committee: Assembly Judiciary, Law, Public Safety & Defense
 Senate Judiciary

Amended during passage ~~Yes~~ No

Date of Passage: Assembly April 17, 1978

Senate April 5, 1979

Date of approval May 16, 1979

Following statements are attached if available:

Sponsor statement	Yes	xxx (Below)
Committee Statement: Assembly	xxx	No
Senate	xxx	No
Fiscal Note	xxx	No
Veto message	xxx	No
Message on signing	xxx	No
Following were printed:		
Reports	xxx	No
Hearings	xxx	No

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Sponsor's statement:

Several states, specifically New York and California, have done away with the use of an impressed seal by their notaries. Our law still requires notaries taking acknowledgments outside the State to use a seal. This bill would permit the recording of instruments notarized outside the state without a seal, if the notary's own state does not require such seal.

9/1/78

EJ

ASSEMBLY, No. 366

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1978 SESSION

By Assemblymen DOYLE and NEWMAN

AN ACT relating to acknowledgments and proofs of deeds and other instruments, and amending R. S. 46:14-7.

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. R. S. 46:14-7 is amended to read as follows:

2 46:14-7. If the party who shall have executed or who shall exe-
3 cute any deed or instrument of the description or nature set forth
4 in section 46:16-1 of this Title, or the witnesses thereto, shall have
5 happened or shall happen to be in some other state of the United
6 States or territory thereof, or in the District of Columbia, whether
7 resident in this State, or in such state, territory or district, or else-
8 where, an acknowledgment or proof of such as is prescribed by
9 section 46:14-6 of this Title, made before and certified by any one
10 of the officers herein named, shall be as good and effectual as if the
11 same had been made in this State before an officer authorized to
12 take acknowledgments or proofs within the State and had been
13 certified by him, as provided in section 46:16-6.

14 The officers authorized to take acknowledgments and proofs
15 under authority of this section are:

16 a. The Chief Justice or any associate justice of the Supreme
17 Court of the United States, or a master of the Superior Court of
18 New Jersey or attorney-at-law of New Jersey, at any place with-
19 out the State but within the territorial limits of the United States.

20 b. At any place without this State but within the territorial
21 limits of the United States and within the territorial limits of the
22 jurisdiction of such officer or of his court, by

23 (1) A judge of any of the United States courts other than the
24 Supreme Court;

25 (2) The Chancellor of any state of the United States or terri-
26 tory thereof;

27 (3) Any judge or justice of the Supreme or Superior Courts of
28 any state of the United States or territory thereof, or the District
29 of Columbia;

30 (4) Any foreign commissioner of deeds for New Jersey, when
31 his certificate of acknowledgment or proof is duly certified under
32 his official seal;

33 (5) The mayor or other chief magistrate of any city, borough
34 or corporation, when his certificate of acknowledgment or proof
35 is duly certified under the seal of the city, borough or corporation
36 of which he was or is the mayor or chief magistrate;

37 (6) A judge of a court of record of any state of the United
38 States or territory thereof, or of the District of Columbia when
39 his certificate of acknowledgment or proof is duly certified that he
40 was or is such judge under the great seal of such state, territory
41 or district, or under the seal of a court of record of the state, county,
42 city or district in which the acknowledgment or proof was or is
43 made and in and for which he was or is such judge; or

44 (7) Any notary public of any such state, territory or district,
45 then residing or being anywhere therein, and a recital in his certi-
46 ficate of acknowledgment or proof that he is such notary with his
47 official designation annexed to his signature and attested under
48 his official seal, *if such seal is required within the jurisdiction*
49 *wherein he holds the office of notary public*, shall be sufficient proof
50 that the person before or by whom such acknowledgment or proof
51 was taken is such notary.

52 (8) Any officer of any such state, territory or district, then re-
53 siding and being anywhere in such state, territory or district, au-
54 thorized at the time of such acknowledgment or proof by the laws
55 of such state, territory or district to take acknowledgments and
56 proofs, when his certificate of acknowledgment or proof is accom-
57 panied by a certificate under the great seal of such state, territory
58 or district, or under the seal of some court of record in or county
59 clerk of the state, county, city or district in which the acknowledg-
60 ment or proof was or shall be made, and that such officer was, at
61 the time of the taking of such acknowledgments or proofs, autho-
62 rized by the laws of such state, territory or district to take ac-
63 knowledgments and proofs.

1 2. This act shall take effect immediately.

STATEMENT

Several states, specifically New York and California, have done away with the use of an impressed seal by their notaries. Our law still requires notaries taking acknowledgments outside the State to use a seal. This bill would permit the recording of instruments notarized outside the state without a seal, if the notary's own state does not require such seal.

FROM THE OFFICE OF THE GOVERNOR

FOR IMMEDIATE RELEASE

FOR FURTHER INFORMATION

MAY 16, 1979

KATHRYN FORSYTH

Governor Brendan Byrne today signed the following bills into law:

S-309, sponsored by Senator John Ewing (R-Somerset), which denies the owner of income-producing property the right to appeal an assessment if he fails to produce certain information to the assessor.

Under prior law, the owner of income-producing property is required to provide the assessor upon request with a "true account of his name and real property and the income therefrom." However, should the owner refuse to provide the information, the assessor is free to assess the property based on any information available to him.

Under the bill, the owner would be denied an appeal of the assessment when he either failed or refused to: 1) respond to a written request for such information with 45 days of the request; or 2) testify on oath when required or if he rendered a false or fraudulent account.

A-366, sponsored by Assemblyman John Paul Doyle and Daniel Newman (both D-Ocean) which permits instruments to be notarized outside New Jersey without a seal, if the out-of-state notary's own state does not require such a seal.

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is not enacted and is intended to be omitted in the law.