

(5) A registration under subsections (1) to (3) of this section becomes effective if no stop order is in effect and no proceeding is pending under RCW 21.20.280 and 21.20.300 at three o'clock Pacific standard time in the afternoon of the fifteenth full business day after the filing of the registration statement or the last amendment, or at such earlier time as the director determines.

NEW SECTION. Sec. 28. The following acts or parts of acts are each hereby repealed:

- (1) Section 15, chapter 282, Laws of 1959 and RCW 21.20.150;
- (2) Section 16, chapter 282, Laws of 1959 and RCW 21.20.160; and
- (3) Section 17, chapter 282, Laws of 1959 and RCW 21.20.170.

Passed the Senate April 22, 1975.

Passed the House May 16, 1975.

Approved by the Governor May 26, 1975.

Filed in Office of Secretary of State May 26, 1975.

## CHAPTER 85

[Engrossed Senate Bill No. 2509]

### NOTARIES PUBLIC—OFFICIAL SEAL OR STAMP

AN ACT Relating to notaries public; amending section 3, page 473, Laws of 1890 and RCW 42.28.030; amending section 5, page 474, Laws of 1890 and RCW 42.28.060; amending section 6, page 474, Laws of 1890 and RCW 42.28.070; amending section 1, chapter 56, Laws of 1907 as amended by section 7, chapter 51, Laws of 1951 and RCW 42.28.090; and adding a new section to chapter 42.28 RCW.

Be it enacted by the Legislature of the State of Washington:

Section 1. Section 3, page 473, Laws of 1890 and RCW 42.28.030 are each amended to read as follows:

Before a commission shall issue to the person appointed he shall—(1) execute a bond, payable to the state of Washington, in the sum of one thousand dollars, with sureties to be approved by the county clerk of the county in which the applicant resides, conditioned for the faithful discharge of the duties of his office; (2) pay into the state treasury the sum of ten dollars for special state library fund [state general fund], taking the treasurer's receipt therefor; (3) procure a seal or stamp, on which shall be engraved or impressed the words "Notary Public" and "State of Washington", and date of expiration of his commission, with surname in full, and at least the initials of his Christian name; (4) to take and subscribe the oath of office required of state officers; (5) file the said oath of office, bond and treasurer's receipt in the office of the secretary of state, and before performing any official acts, shall file in the office of the secretary of state a clear impression of his official seal or stamp, which seal or stamp shall be approved by the governor: PROVIDED, That if a stamp is used the following requirements shall apply:

- (1) The type shall be a minimum of 8 point type.
- (2) The stamp shall be two inches minimal in diameter.
- (3) The imprint shall be affixed with indelible ink only.
- (4) The face of any notary stamp shall contain permanently affixed letters and numerals and shall not be preprinted.

Sec. 2. Section 5, page 474, Laws of 1890 and RCW 42.28.060 are each amended to read as follows:

It shall not be necessary for a notary public in certifying an oath to be used in any of the courts in this state, to append an impression of his official seal or stamp, but in all other cases when the notary public shall sign any instrument officially, he shall, in addition to his name and the words "Notary Public", add his place of residence and affix his official seal or stamp.

Sec. 3. Section 6, page 474, Laws of 1890 and RCW 42.28.070 are each amended to read as follows:

Every notary public is required to keep a true record of all notices of protest given or sent by him, with the time and manner in which the same were given or sent, and the names of all the parties to whom the same were given or sent, with the copy of the instrument in relation to which the notice is served, and of the notice itself; said record, or a copy thereof, duly certified under the hand and seal or stamp of the notary public, or county clerk having the custody of the original record, shall be competent evidence to prove the facts therein stated, but the same may be contradicted by other competent evidence.

Sec. 4. Section 1, chapter 56, Laws of 1907 as amended by section 7, chapter 51, Laws of 1951 and RCW 42.28.090 are each amended to read as follows:

Notaries public may make but not exceed the following charges for their services:

Protest of a bill of exchange or promissory note, one dollar;

Attesting any instrument of writing with or without seal or stamp, one dollar;

Taking acknowledgment, two persons, with seal or stamp, one dollar;

Taking acknowledgment, each person over two, fifty cents;

Certifying affidavit, with or without seal or stamp, one dollar;

Registering protest of bill of exchange or promissory note for nonacceptance or nonpayment, fifty cents;

Being present at demand, tender, or deposit, and noting the same, besides mileage at the rate of ten cents per mile, fifty cents;

Noting a bill of exchange or promissory note, for nonacceptance or nonpayment, fifty cents;

For copying any instrument or record, per folio, besides certificate and seal or stamp, fifteen cents.

All public officers who are paid a salary in lieu of fees shall collect the prescribed fees for the use of the state or county as the case may be.

NEW SECTION. Sec. 5. There is added to chapter 42.28 RCW a new section to read as follows:

Notwithstanding any other provision of law, any requirement that a notary public affix his seal or his official seal shall be fully satisfied if such notary uses instead a rubber stamp which complies with the requirements of RCW 42.28.030 as now or hereafter amended.

Passed the Senate April 3, 1975.

Passed the House May 16, 1975.

Approved by the Governor May 26, 1975.

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