

**PENNSYLVANIA STATUTES**

**TITLE 57. NOTARIES PUBLIC (P. S.)**

CHAPTER 1 APPOINTMENT, QUALIFICATIONS AND TERM OF OFFICE  
[REPEALED]

CHAPTER 2 DUTIES AND POWERS

CHAPTER 3 BOND FOR DELIVERY OF REGISTER ON REMOVAL, ETC.  
[REPEALED]

CHAPTER 4 FEES [REPEALED]

CHAPTER 5 [DOMICILE REPEALED]

CHAPTER 6 NOTARY PUBLIC LAW OF 1949 [REPEALED]

CHAPTER 7 NOTARY PUBLIC LAW OF 1953

**CHAPTER 2—DUTIES AND POWERS**

**57 P. S. § 31a. Notary seal; validation of notarial acts**

The seal of any notary public reappointed after the effective date of the act to which this act is a supplement, and prior to the effective date of this act, on which seal there is engraved the name, surname, the, words “Notary Public,” and the location of the office of the notary using the same, shall be a valid and legal seal during the term for which he or she was reappointed, notwithstanding the fact that in addition thereto it has engraved thereon the arms of this Commonwealth; and all the acts, instruments and attestations of such notary authenticated by such seal shall be as valid and binding as though the arms of this Commonwealth were not thereon.

1933, June 1, P.L. 1150, § 1.

**57 P. S. § 54b. Acknowledgments and affidavits by persons in armed forces before persons authorized by Federal statute**

Any written instrument may be acknowledged or any affidavit may be made by any person executing the same or swearing or affirming thereto, while on active duty with the armed forces of the United States, before a person having powers of a notary public under the provisions of the Act of Congress, approved the fifth day of May, one thousand nine hundred fifty, Chapter 169, section one, 64 Statutes 143, U.S.C. Title 50, section 732. Any such instrument in writing so acknowledged or sworn or affirmed to and certified under the hand of such person acting as a notary public may be offered in evidence without further proof; and if it relates to, concerns or conveys any interest in lands, it may be recorded in the recorder’s office of the county or counties where such lands lie, and the record of the same shall be constructive notice of all matters contained therein; and such record or exemplification of the same, duly certified, shall be legal evidence in all cases in which the original would be competent evidence.

1953, July 28, P.L. 676, No. 211, § 1.

**57 P. S. § 54c. Validation of acknowledgments and affidavits**

Any acknowledgment of a written instrument or any affidavit heretofore made by any person executing the same or swearing or affirming thereto, while on active duty with the armed forces of the United States before and certified by any person authorized to act as a notary public under Article 114 of the Articles of War, as amended by the Act of Congress, approved the fourteenth day of December, one, thousand nine hundred forty-two, Chapter 730, 56 Statutes 1050, U.S.C. Title 10, section one thousand five hundred eighty-six, or under the Act of Congress, approved the fifth day of May, one thousand nine hundred fifty, Chapter 169, section one, 64 Statutes 143, U.S.C. Title 50, section seven hundred thirty-two, during the period he was so authorized, is hereby validated, notwithstanding the fact that at the time he so acted he was not authorized to act as a notary public under the laws of Pennsylvania. All instruments in writing so acknowledged or sworn or affirmed to and certified may be offered in evidence without further proof; and if such instrument so acknowledged and certified conveys or relates to or concerns any interest in lands, it may be recorded in the recorder's office of the county or counties where such lands lie, and the record of same made before or after the passage of this act shall be constructive notice of all matters contained therein; and such record or exemplification of same, duly certified, shall be legal evidence in all cases in which the original would be competent evidence. 1958, July 28, P.L. 676, No. 211, § 2.

**57 P. S. § 54d. Acknowledgments and other notarial acts before commissioned officers of armed forces; validation**

(a) In addition to the acknowledgement of instruments and the performance of other notarial acts in the manner and form and as otherwise authorized by law, instruments may be acknowledged, documents attested, oaths and affirmations administered, depositions and affidavits executed, and other notarial acts performed, before or by any commissioned officer in active service of the armed forces of the United States with the rank of second lieutenant or higher in the army or marine corps, or with the rank of ensign or higher in the navy or coast guard, or with equivalent rank in any other component part of the armed forces of the United States, by any person who either (a) is a member of the armed forces of the United States, or (b) is a spouse of a member of the armed forces of the United States, or (c) is serving as a merchant seaman outside the limits of the United States included within the forty-eight states and the District of Columbia, or (d) is outside said limits by permission, assignment, or direction of any department or official of the United States Government in connection with any activity pertaining to the prosecution of any war in which the United States is then engaged.

(b) Such acknowledgement of instruments, attestation of documents, administration of oaths and affirmations, execution of depositions and affidavits, and performance of other notarial acts, heretofore or hereafter made or taken, are hereby declared legal, valid and binding; and instruments and documents so acknowledged, authenticated, or sworn to, shall be admissible in evidence and eligible to record in this Commonwealth under the same circumstances and with the same force and effect as if such acknowledgement, attestation, oath, affirmation, deposition, affidavit, or other notarial act had been made or taken within this Commonwealth before or by a duly qualified officer or official as otherwise provided by law.

1953, Aug. 19, P.L. 1104, § 1. Amended 1956, Jan. 31, P.L. (1955) 970, § 1.

**57 P. S. § 54e. Certificate; sufficiency**

In the taking of acknowledgements and the performing of other notarial acts requiring

certification, a certificate endorsed upon or attached to the instrument or documents which shows the date of the notarial act, and which states in substance that the person appearing before the officer acknowledges the instrument as his act, or made or signed the instrument or document under oath, shall be sufficient for all intents and purposes. The instrument or document shall not be rendered invalid by the failure to state the place of execution or acknowledgement.

1953, Aug. 19, P.L. 1104, § 2.

**57 P. S. § 54f. Proof of authority; prima face evidence**

If the signature, rank and branch of service, or subdivision thereof, of any such commissioned officer appear upon such instrument or document or certificate, no further proof of the authority of such officer so to act shall be required; and such action by such commissioned officer shall be prima facie evidence that the person making such oath or acknowledgement is within the purview of this act.

1953, Aug. 19, P.L. 1104, § 3.

**57 P. S. § 55. Magistrate, alderman and justice of the peace authorized to administer oaths**

Whenever any act has provided that an oath shall be administered by a notary public, the same hereafter may also be administered by a magistrate, alderman or a justice of the peace.

1939, May 25, P.L. 223, § 1.

**57 P. S. § 64. Notarial acts within three months after expiration of commission validated**

All affidavits, acknowledgments, and other notarial acts, heretofore performed by notaries public of this Commonwealth within three months after the expiration of the time for which they have been commissioned to act, shall be valid to all intents and purposes the same as though they were performed during the time for which they were commissioned to act: Provided, however, That no case heretofore judicially decided, or now pending, shall be affected by this act.

1917, May 24, P.L. 270, § 1.

**57 P. S. § 65. Validation of notarial acts of judge advocates**

All notarial acts heretofore performed by judge advocates of the United States Army in the administration of oaths, the execution and acknowledgment of legal instruments, the attestation of documents, and all other similar notarial acts, are hereby validated and made legal, and such acts shall be received in evidence in the courts of the Commonwealth and for entry of record, in the like manner, and with the same force and effect, as provided in section one of this act.

1919, March 14, P.L. 18, § 2.

**CHAPTER 7. NOTARY PUBLIC LAW OF 1953**

- 57 P. S. § 147. Short title
- 57 P. S. § 148. Appointment of Notaries
- 57 P. S. § 149. Eligibility
- 57 P. S. § 150. Disqualification; Exception
- 57 P. S. § 151. Application to Become a Notary Public
- 57 P. S. § 152. Application for Reappointment

57 P. S. § 153.	Vacation of Office; Change of Residence
57 P. S. § 154.	Oath of Office; Bond; Recording
57 P. S. § 155.	Registration of Notary's Signature; Fee
57 P. S. § 156.	Change of Name
57 P. S. § 157.	Repealed.
57 P. S. § 158.	Notarial Seal
57 P. S. § 159.	Repealed.
57 P. S. § 160.	Repealed.
57 P. S. § 161.	Register; Copies of Records
57 P. S. § 162.	Power to Administer Oaths and Affirmations
57 P. S. § 163.	Repealed.
57 P. S. § 164.	Repealed.
57 P. S. § 165.	Limitation on Powers; Fees
57 P. S. § 166.	Repealed.
57 P. S. § 167.	Fees of Notaries Public
57 P. S. § 168.	Rejection of Application; Removal
57 P. S. § 168.1.	Surrender of Seal
57 P. S. § 168.2.	Revocation of Commission for Certain Personal Checks.
57 P. S. § 168.3.	Regulations.
57 P. S. § 169.	Revocation of commission of notaries issuing checks without funds on deposit

**57 P. S. § 147. Short Title—This act shall be known and may be cited as “The Notary Public Law”.**

1953, Aug. 21, P.L. 1323, § 1.

**57 P. S. § 148. Appointment of Notaries—**The Secretary of the Commonwealth is hereby authorized to appoint and commission, for a term of four years from the date of appointment, as many notaries public as, in the secretary's judgment, the interest of the public may require, whose jurisdiction shall be co-extensive with the boundaries of the Commonwealth.

1953, Aug. 21, P.L. 1323, § 2. Amended 2002, Dec. 9, P.L. 1269, No. 151, § 1, effective July 1, 2003.

**57 P. S. § 149. Eligibility—**(a) Any person who is eighteen (18) years of age or over, who resides or is employed within this Commonwealth and who is of good character, integrity and ability shall be eligible for the office of notary public.

(b) Any person who is a notary public and who resides outside this Commonwealth shall be deemed to have irrevocably appointed the Secretary of the Commonwealth as the person's agent upon whom may be served any summons, subpoena, order or other process.

1953, Aug. 21, P.L. 1323, § 3. Amended 1972, June 16, P.L. 440, No. 133, § 1; 1978, June 9, P.L. 462, No. 61, § 1 imd. effective. Amended 2002, Dec. 9, P.L. 1269, No. 151, § 2, effective July 1, 2003.

**57 P. S. § 150. Disqualification; Exception—**The following persons shall be ineligible to hold the office of notary public:

(1) Any person holding any judicial office in this Commonwealth, except the office of justice of the peace, magistrate, or alderman.

(2) Every member of Congress, and any person, whether an officer, a subordinate officer, or agent, holding any office or appointment of profit or trust under the legislative,

executive, or judiciary departments of the government of the United States, to which a salary, fees or perquisites are attached.

1953, Aug. 21, P.L. 1323, § 4.

**57 P. S. § 151 Application to Become a Notary Public**—(a) Applications for appointment to the office of notary public shall be made to the Secretary of the Commonwealth, on forms prescribed and furnished by the secretary, and shall be accompanied by a non-refundable filing fee, as set forth in section 618-A of the act of April 9, 1929 (P.L.177, No.175), known as “The Administrative Code of 1929,” payable to the order of the “Commonwealth of Pennsylvania.” Each application shall bear the endorsement of the Senator of the district in which the applicant resides, or, or, if the applicant does not reside in this Commonwealth, the endorsement of the Senator of the district in which the applicant is employed. In the case of a vacancy in district, shall be endorsed by the Senator of an adjacent district.

(b) Before issuing to any applicant a commission as notary public, the Secretary of the Commonwealth shall be satisfied that the applicant is of good moral character, and is familiar with the duties and responsibilities of a notary public. The application must contain no material misstatement or omission of fact and the applicant shall not:

(1) have been convicted of, or pled guilty or nolo contendere to a felony or a lesser offense incompatible with the duties of a notary public during the five (5) year period preceding the date of the application; or

(2) have had a prior notary public commission revoked by the Commonwealth or any other state during the five (5) year period preceding the date of the application.

The Secretary of the Commonwealth may, for good cause, reject any application, of any notary public subject to the right of notice, hearing and adjudication and the right of appeal therefrom in accordance with 2 Pa.C.S. Chs. 5 Subch. A (relating to practice and procedure of Commonwealth agencies) and 7 Subch. A (relating to judicial review of Commonwealth agency action), known as the Administrative Agency Law.

(c) As a condition for the Secretary of the Commonwealth’s issuance of a notary commission to an applicant not appointed to the office of notary public as of the effective date of this subsection, a notary applicant must complete at least three (3) hours of approved notary education within the six (6) month period immediately preceding their application.

(d) Notary education may either be interactive or classroom instruction. All education programs shall be pre-approved by the Secretary of the Commonwealth with a core curriculum that includes the duties and responsibilities of the notary office, and electronic notarization.

1953, Aug. 21, P.L. 1323, § 5. Amended 1980, Oct. 16, P.L. 977, No. 166, § 1, effective in 30 days; 1988, June 30, P.L. 462, No. 78, § 1, effective in 90 days. Amended 2002, Dec. 9, P.L. 1269, No. 151, § 3, effective July 1, 2003.

**57 P. S. § 152. Application for Reappointment**—Applications for reappointment to the office of notary public shall be filed at least two months prior to the expiration of the commission under which the notary is acting. Persons seeking reappointment must continue to meet the requirements set forth in 57 P. S. § 151 in order to be reappointed.

1953, Aug. 21, P.L. 1323, § 6. Amended 2002, Dec. 9, P.L. 1269, No. 151, § 4, effective July 1, 2003.

**57 P. S. § 153. Vacation of Office; Change of Residence**—(a) In the event of any change of address within the Commonwealth, notice in writing or electronically shall be

given the Secretary of the Commonwealth and the recorder of deeds of the county of original appointment by a notary public within five (5) days of such change. For the purpose of this subsection, “address” means office address. A notary public vacates his office by removing the notary’s residence and business address from the Commonwealth, and such removal shall constitute a resignation from the office of notary public as of the date of removal.

(b) If a notary public neither resides nor works in the Commonwealth, that notary public shall be deemed to have resigned from the office of notary public as of the date the residency ceases or employment within the Commonwealth terminates. A notary public who resigns that notary’s commission in accordance with this subsection shall notify the Secretary of the Commonwealth in writing of the effective date of the resignation.

1953, Aug. 21, P.L. 1323, § 7. Amended 2002, Dec. 9, P.L. 1269, No. 151, § 4, effective July 1, 2003.

**57 P. S. § 154. Oath of Office; Bond; Recording**—Every notary, upon appointment and prior to entering upon the duties of the office of notary public, shall take and subscribe the constitutional oath of office, and shall give a surety bond, payable to the Commonwealth of Pennsylvania, in the amount of \$10,000, which bond shall, after being recorded, be approved by and filed with the Secretary of the Commonwealth. Every such bond shall have as surety a duly authorized surety company or two sufficient individual sureties, to be approved by the Secretary of the Commonwealth, conditioned for the faithful performance of the duties of the office of notary public and for the delivery of the notary’s register and seal to the office of the recorder of deeds of the proper county in case of the death, resignation or disqualification of the notary within thirty (30) days of such event. Such bond, as well as the commission and oath of office, shall be recorded in the office of the recorder of deeds of the county in which the notary maintains an office at the time of appointment or reappointment. The commission of any notary hereafter appointed who shall, for the space of forty-five (45) days after the beginning of the term, neglect to give bond and cause the bond and the commission and oath to be recorded, as above directed, shall be null and void.

1953, Aug. 21, P.L. 1323, § 8. Amended 2002, Dec. 9, P.L. 1269, No. 151, § 4, effective July 1, 2003.

**57 P. S. § 155. Registration of Notary’s Signature; Fee**— (a) The official signature of each notary public shall be registered, in the “Notary Register” provided for such purpose in the prothonotary’s office of the county wherein the notary maintains an office, within forty-five (45) days after appointment or reappointment, and in any county to which the notary may subsequently move the notary’s office, within thirty (30) days thereafter. In counties of the second class, such signature shall also be registered in the clerk of courts’ office within said period.

(b) The fee to be charged by the prothonotary for recording a notary’s signature shall be fifty (\$.50) cents.

(c) In acting as a notary public, a notary shall sign the notary’s name exactly and only as it appears on the commission, or otherwise execute the notary’s electronic signature in a manner that attributes such signature to the notary public identified on the commission.

(d) A county may permit notaries to register their electronic signatures.

1953, Aug. 21, P.L. 1323, § 9. Amended 1965, July 22, P.L. 222, § 1. Amended 2002, Dec. 9, P.L. 1269, No. 151, § 4, effective July 1, 2003.

**57 P. S. § 156. Change of Name**—Whenever the name of any notary is changed by

decree of court, or otherwise, such notary may continue to perform official acts, in the name in which he or she was commissioned, until the expiration of his or her term, but he or she shall, within thirty (30) days after entry of such decree, or after such name change, if not by decree of court, notify the Secretary of the Commonwealth and the recorder of deeds of the county in which he or she maintains an office of such change of name. The Secretary of the Commonwealth shall mark the public records relating to the notary accordingly and the recorder of deeds shall record the notification. Application for reappointment of such notary shall be made in the new name.

1953, Aug. 21, P.L. 1323, § 10. Amended 1978, Oct. 4, P.L. 927, No. 175, § 1, effective in 60 days.

**57 P. S. § 157. Repealed.**

Repealed 1988, June 30, P.L. 462, No. 78, § 2, effective in 90 days.

**57 P. S. § 158. Notarial Seal**—(a) A notary public shall provide and keep an official seal which shall be used to authenticate all the acts, instruments and attestations of the notary. The seal shall be a rubber stamp and shall show clearly in the following order: the words “Notarial Seal”; the name and surname of the notary and the words “Notary Public”; the name of the municipality and county in which the notary maintains an office; and the date the notary’s commission expires.

(b) The seal shall have a maximum height of one (1) inch and width of three and one-half (3 1/2) inches, with a plain border. It shall be stamped in a prominent place on the official notarial certificate near the notary’s signature in such a manner as to be capable of photographic reproduction.

(c) The notary public seal is the exclusive property of the notary to whom it is issued and a notary shall be responsible at all times for maintaining custody and control of the seal. No notary public shall permit the use of the seal by another person

(d) The use of a notary public seal by a person who is not the notary public named on the seal shall be deemed an impersonation of a notary public under and shall be subject to the penalties set forth in 18 Pa.C.S. § 4913 (relating to impersonating a notary public).

(e) Notwithstanding other provisions of this section, in accordance with the act of December 16, 1999 (P.L.971, No.69), known as the “Electronic Transactions Act,” a notary public is not required to use an electronic seal for the notarization, acknowledgment or verification of electronic records and electronic signatures, provided that, in any event, the following information is attached to or logically associated with the electronic signature or electronic record being notarized, acknowledged or verified:

- (1) The full name of the notary along with the words “Notary Public.”
- (2) The name of the municipality and the county in which the notary maintains an office.
- (3) The date the notary’s commission is due to expire.

1953, Aug. 21, P.L. 1323, § 12. Amended 1988, June 30, P.L. 462, No. 78, § 3, effective in 90 days.

Amended 2002, Dec. 9, P.L. 1269, No. 151, § 4, effective July 1, 2003.

**57 P. S. § 158.1. Determining Identity of Person Appearing.**—(a) The officer notarizing the instrument shall know through personal knowledge or have satisfactory evidence that the person appearing before the notary is the person described in and who is executing the instrument. For the purposes of this act and section 5 of the act of July 24, 1941 (P.L.490, No.188), known as the “Uniform Acknowledgment Act,” “personal knowledge” means having an acquaintance, derived from association with the individual in relation to other people and based upon a chain of circumstances surrounding the individual, which establishes

the individual's identity and "satisfactory evidence" means the reliance on the presentation of a current, government-issued identification card bearing a photograph, signature or description and serial or identification number, or the oath or affirmation of a credible witness who is personally known to the notary and who personally knows the individual.

(b) In certifying a copy of a document or other item, a notary public shall determine that the proffered copy is a full, true and accurate transcription or reproduction of that which was copied.

1953, Aug. 21, P.L. 1323, § 12.1, added 2002, Dec. 9, P.L. 1269, No. 151, § 7, effective July 1, 2003.

**57 P. S. § 159. Repealed.**

Repealed 1988, June 30, P.L. 462, No. 78, § 4, effective in 90 days.

**57 P. S. § 160. Repealed.**

Repealed 1988, June 30, P.L. 462, No. 78, § 4, effective in 90 days.

**57 P. S. § 161. Register; Copies of Records**

(a) Every notary public shall keep and maintain custody and control of an accurate chronological register of all official acts by that notary done by virtue of that notary's office, and shall, when thereunto required, give a certified copy of the register in the notary's office to any person applying for same. Each register shall contain the date of the act, the character of the act, and the date and parties to the instrument, and the amount of fee collected for the service. Each notarization shall be indicated separately.

(b) The register and other public records of such notary shall not in any case be liable to be seized, attached or taken in execution for debt or for any demand whatsoever.

(c) A notary public register is the exclusive property of the notary public, may not be used by any other person and may not be surrendered to any employer of the notary upon termination of employment.

(d) Upon a notary public's resignation, death or disqualification, or upon the revocation or expiration of a commission, unless the notary public applies for a commission within thirty (30) days of the expiration of the prior commission, the notary public's register shall be delivered to the office of the recorder of deeds of the proper county within thirty (30) days of such event.

1953, Aug. 21, P.L. 1323, § 15. Amended 2002, Dec. 9, P.L. 1269, No. 151, § 8, effective July 1, 2003.

**57 P. S. § 162. Power to Administer Oaths and Affirmations—** (a) Notaries shall have power to administer oaths and affirmations, certify copies and take depositions, affidavits, verifications, upon oath or affirmation and acknowledgments according to law, in all matters belonging or incident to the exercise of their notarial office.

(b) Any person who shall be convicted of having wilfully and knowingly made or taken a false oath, affirmation, deposition, affidavit, certification or acknowledgment before any notary in any matters within their official duties shall be guilty of perjury and shall be subject to the penalties set forth in 18 Pa.C.S. § 4902 (related to perjury).

1953, Aug. 21, P.L. 1323, § 16. Amended 2002, Dec. 9, P.L. 1269, No. 151, § 8, effective July 1, 2003.

**57 P. S. § 163. Repealed**

Repealed 2002, Dec. 9, P.L. 1269, No. 151, § 8, effective July 1, 2003.

**57 P. S. § 164. Repealed**

Repealed 2002, Dec. 9, P.L. 1269, No. 151, § 8, effective July 1, 2003.

**57 P. S. § 165. Limitation on powers; fees**—(d) No district justice, holding at the same time the office of notary public, shall have jurisdiction in cases arising on papers or documents containing acts by him done in the office of notary public.

(e) No notary public may act as such in any transaction in which he is a party directly or pecuniarily interested. For the purpose of this section, none of the following shall constitute a direct or pecuniary interest:

(1) being a shareholder in a publicly traded company that is a party to the notarized transaction;

(2) being an officer, director or employee of a company that is a party to the notarized transaction, unless the director, officer or employee personally benefits from the transaction other than as provided in clause (3); or

(3) receiving a fee that is not contingent upon the completion of the notarized transaction.

1953, Aug. 21, P.L. 1323, § 19. Amended 2002, Dec. 9, P.L. 1269, No. 151, § 10, effective July 1, 2003.

**57 P. S. § 166. Repealed.**

Repealed.

Repealed 1978, April 28, P.L. 202, No. 53, § 2(a)[1304], effective June 27, 1978.

**57 P. S. § 167. Fees of Notaries Public.**— (a) The fees of notaries public shall be fixed by the Secretary of the Commonwealth with the approval of the Attorney General.

(b) A notary public shall not charge, attempt to charge or receive a notary public fee that is in excess of the fees fixed by the Secretary of the Commonwealth.

(c) The fees of notaries public shall be displayed in a conspicuous location in the notary's place of business or be provided upon request to any person utilizing the services of the notary. The fees of the notary shall be separately stated. A notary public may waive the right to charge a fee, in which case the requirements of this subsection regarding the display or provision of fees shall not apply.

(d) The fee for any notary public employed by a bank, banking institution or trust company shall be the property of the notary and in no case belong to or be received by the corporation for whom the notary is employed.

1953, Aug. 21, P.L. 1323, § 19.

NOTARY PUBLIC FEE SCHEDULE  
AS OF MAY 28, 2005  
THE SECRETARY OF THE COMMONWEALTH  
REVISED NOTARY FEES

Executing affidavits (no matter how many signatures)	\$5.00
Executing acknowledgments	5.00
in executing acknowledgments, each additional name	2.00
Executing certificates (per certified copy)	5.00
Administering oaths (per individual taking an oath)	5.00
Taking depositions (per page)	3.00
Executing verifications	
Executing protests (per page)	3.00

1953, Aug. 21, P.L. 1323, § 21. Amended 2002, Dec. 9, P.L. 1269, No. 151, § 10, effective July 1, 2003; Amended 2005, effective May 28, 2005.

**57 P. S. § 168. Rejection of Application; Removal—** (a) The Secretary of the Commonwealth may, for good cause, reject any application, issue a written reprimand, suspend or revoke the commission of any notary public.

(b) The Secretary of the Commonwealth may, for good cause, impose a civil penalty not to exceed five hundred dollars (\$500) for each act or omission which constitutes a violation of this act.

(c) The Secretary of the Commonwealth may, for good cause, order a notary to attend education courses for an act or omission which constitutes a violation of this act.

(d) Any action taken under this section shall be subject to the right of notice, hearing and adjudication, and the right of appeal therefrom, in accordance with the provisions of the Administrative Agency Law, approved the fourth day of June, one thousand nine hundred forty-five (Pamphlet Laws 1388), or any amendment or reenactment thereof, relating to adjudication procedure.

71 P. S. § 1710.1 et seq. (repealed, see, now, Title 2, Pa.C.S.A.). 1953, Aug. 21, P.L. 1323, § 22. Amended 2002, Dec. 9, P.L. 1269, No. 151, § 10, effective July 1, 2003.

**57 P. S. § 168.1. Surrender of Seal—** (a) Should an application or renewal be rejected, or should a commission be revoked or recalled for any reason, or should a notary public resign, the applicant or notary shall deliver the seal of office to the Department of State within ten (10) days after notice from the department or from the date of resignation, as the case may be. Any person who violates the provisions of this subsection shall be guilty of a summary offense and upon conviction thereof shall be sentenced to pay a fine not exceeding three hundred dollars (\$300) or to imprisonment not exceeding ninety (90) days, or both.

(b) Upon the death of a notary public, the notary's personal representative shall deliver the seal of office to the Department of State within ninety (90) days of the date of the notary's death.

1953, Aug. 21, P.L. 1323, § 22.1, added 1978, June 9, P.L. 462, No. 61, § 2, imd. effective. Amended 2002, Dec. 9, P.L. 1269, No. 151, § 10, effective July 1, 2003.

**57 P. S. § 168.2. Revocation of Commission for Certain Personal Checks.—** (a) The Secretary of the Commonwealth may revoke the notary public commission of a notary public who issues to the order of any State agency or the Commonwealth a personal check without sufficient funds on deposit.

(b) Any action taken by the Secretary of the Commonwealth under this section shall be subject to the right of notice, hearing and adjudication and right of appeal therefrom in accordance with 2 Pa.C.S. Chs. 5 Subch. A (relating to practice and procedure of Commonwealth agencies) and 7 Subch. A (relating to judicial review of Commonwealth agency action), known as the Administrative Agency Law.

1953, Aug. 21, P.L. 1323, § 22.2, added 2002, Dec. 9, P.L. 1269, No. 151, § 12, effective July 1, 2003.

**57 P. S. § 168.3. Regulations.—**The Secretary of the Commonwealth shall have the authority to promulgate such rules and regulations as are necessary to administer and enforce this act.

1953, Aug. 21, P.L. 1323, § 22.3, added 2002, Dec. 9, P.L. 1269, No. 151, § 12, effective July 1, 2003.

**7 P. S. § 169. Revocation of commission of notaries issuing checks without funds on deposit—**The Secretary of the Commonwealth shall, upon written complaint of any aggrieved applicant, revoke the commission of any notary public who issues to the order

of any State agency a personal check without funds on deposit in payment of moneys due the agency that were received by him from applicants. Any action taken by the Secretary of the Commonwealth shall be subject to the right of notice, hearing and adjudication and the right of appeal therefrom in accordance with the provisions of the Administrative Agency Law of June four, one thousand nine hundred forty-five (Pamphlet Laws 1388). 1955, Dec. 13, P.L. 848, No. 251, § 1.

**TITLE 21. DEEDS AND MORTGAGES (P. S.)**  
**CHAPTER 1. DEEDS AND GENERAL PROVISIONS**  
**EXECUTION, PROBATE AND ACKNOWLEDGMENT**  
**GENERAL PROVISIONS**

**21 P. S. § 42. Deeds to be acknowledged before recording**

All bargains and sales, deeds and conveyances of lands, tenements and hereditaments, in this province, may be recorded in the said office; but before the same shall be so recorded, the parties concerned shall procure the grantor or bargainer named in every such deed, or else two or more of the witnesses (who were present at the execution thereof), to come before one of the justices of the peace of the proper county or city where the lands lie, who is hereby empowered to take such acknowledgment of the grantor, if one, or of one of the grantors, if more.

The “office for recording of deeds” established by section 1 of the act (section 3241 of Title 16, Counties).

1715, May 28, 1 Sm.L. 94, § 2.

**21 P. S. § 43. Proof of execution where grantor is dead or cannot appear**

But in the case the grantor be dead, or cannot appear, then the witnesses brought before such justice shall by him be examined upon oath or affirmation, to prove the execution of the deed then produced. Whereupon the same justice shall, under his hand and seal, certify such acknowledgment or proof upon the back of the deed, with the day and year when the same was made, and by whom; and that after the recorder has recorded any of the said deeds, he shall certify on the back thereof, under his hand and seal of his office, the day he entered it, and the name or number of the book or roll, and page, where the same is entered.

1715, May 28, 1 Sm.L. 94, § 3.

**21 P. S. § 44. Proof of deeds where grantor and witnesses are dead or cannot be found**

Whereas there is no provision made by the act, to which this is a supplement, for the proving deeds or conveyances where the grantors and the witnesses are deceased; for remedy whereof, Be it enacted, That from and after the publication of this act, where the grantors and witnesses of any deed or conveyance are deceased, or cannot be had, it shall and may be lawful to and for any of the justices of the supreme court, or any justice of the court of common pleas of the county where the lands lie, to take the examination of any witness or witnesses, on oath or affirmation, to prove the handwriting of such deceased witness or witnesses, or where such proof cannot be had, then to prove the handwriting of the grantor or grantors, which shall be certified by the justice before whom such proof shall be made, and such deed or conveyance, being so proved, shall be recorded as is usual in other cases directed by the said act.

Act of 1715, May 28, 1 Sm.L. 94 (incorporated in this title and Title 16, Counties). 1775, March 18, 1 Sm.L. 422, § 4.



**21 P. S. § 82. Acknowledgments by married woman**

Acknowledgments of any married woman of any deeds, mortgages or other instruments of writing, required by law to be acknowledged, shall be taken by any judge, justice of the peace, notary public, or other person authorized by law to take acknowledgments of deeds, et cetera, in same manner and form as though said married woman were feme-sole; said acknowledgment to have the same force and effect as if taken separate and apart from the husband of said married woman.

1901, April 4, P.L. 67, § 1.

**EXECUTION OR ACKNOWLEDGMENT BY CORPORATIONS**

**21 P. S. § 111. Corporate acknowledgments by appointed attorney; form of appointment**

A corporation may acknowledge any deed, conveyance, mortgage or other instrument of writing by an attorney appointed by such corporation, and such appointment may be embodied in said deed, conveyance, mortgage or other instrument of writing in substantially the following form: The (name of corporation) doth hereby constitute and appoint (name of appointee) to be its attorney for it, and in its name and as and for its corporate act and deed to acknowledge this (name of instrument), before any person having authority by the laws of the commonwealth of Pennsylvania to take such acknowledgment, to the intent that the same may be duly recorded.

1901, May 11, P.L. 171, § 1.

**21 P. S. § 112. Who may take such acknowledgment; form of certificate**

Such acknowledgment may be made before any person or officer now or hereafter to be authorized by the laws of this commonwealth to take acknowledgments of deeds or other instruments of writing, whose certificate of such acknowledgment shall be in substantially the following form:

I hereby certify that on this \_\_\_\_\_ day of \_\_\_\_\_, in the year of our Lord and \_\_\_\_\_, before me, the subscriber (title of officer taking acknowledgment), personally appeared (name of attorney) the attorney named in the foregoing (name of instrument), and by virtue and in pursuance of the authority therein conferred upon him, acknowledged the said (name of instrument) to be the act of the said (corporation's name). Witness my hand and \_\_\_\_\_ seal the day and year aforesaid.

1901, May. 11, P.L. 171, § 2.

**UNIFORM ACKNOWLEDGEMENT ACT**

**21 P. S. § 291.1. Acknowledgment of instruments**

Any instrument may be acknowledged in the manner and form now provided by the laws of this State or as provided by this act.

1941, July 24, P.L. 490, § 1.

**1 P. S. § 291.2. Acknowledgment within the State**

The acknowledgment of any instrument may be made in this State before -

- (1) A judge of a court of record;
- (2) A clerk, prothonotary or deputy prothonotary or deputy clerk of a court having a seal;

- (3) A recorder of deeds or deputy recorder of deeds;
  - (4) A notary public;
  - (5) A justice of the peace, magistrate or alderman.
- 1941, July 24, P.L. 490, § 2; 1951, March 15, P.L. 27, No. 3, § 1.

**21 P. S. § 291.3. Acknowledgment within the United States**

The acknowledgment of any instrument may be made without the State, but within the United States, or a territory or insular possession of the United States, or the District of Columbia, and within the jurisdiction of the officer before -

- (1) A clerk or deputy clerk of any federal court;
- (2) A clerk, prothonotary or deputy prothonotary or deputy clerk of any court of record of any state or other jurisdiction;
- (3) A notary public;
- (4) A recorder of deeds.

1941, July 24, P.L. 490, § 3. As amended 1961, April 28, P.L. 130, § 1.

**21 P. S. § 291.4. Acknowledgment without the United States**

The acknowledgment of any instrument may be made without the United States before -

- (1) An ambassador, minister, charge d'affaires, counselor to or secretary of a legation, consul general, consul, vice-consul, commercial attache or consular agent of the United States accredited to the country where the acknowledgment is made;
- (2) A notary public of the country where the acknowledgment is made;
- (3) A judge or clerk of a court of record of the country where the acknowledgment is made.

1941, July 24, P.L. 490, § 4.

**21 P. S. § 291.5. Requisites of acknowledgment**

The officer taking the acknowledgment shall know or have satisfactory evidence that the person making the acknowledgment is the person described in and who executed the instrument.

1941, July 24, P.L. 490, § 5.

**21 P. S. § 291.6. Acknowledgment by a married woman**

An acknowledgment of a married woman may be made in the same form as though she were unmarried.

1941, July 24, P.L. 490, § 6.

**21 P. S. § 291.7. Forms of certificates**

An officer taking the acknowledgment shall endorse thereon or attach thereto a certificate substantially in one of the following forms:

- (1) By individuals -

State of \_\_\_\_\_  
 County of \_\_\_\_\_

On this, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_, before me \_\_\_\_\_, the undersigned officer, personally appeared \_\_\_\_\_, known to me (or satisfactorily proven) to be the person whose name \_\_\_\_\_ subscribed to the within instrument, and acknowledged that \_\_\_\_\_ he \_\_\_\_\_ executed the same for the purposes

therein contained.

In witness whereof, I hereunto set my hand and official seal.

\_\_\_\_\_  
\_\_\_\_\_  
Title of Officer

(2) By a corporation -

State of \_\_\_\_\_  
County of \_\_\_\_\_

On this, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_, before me \_\_\_\_\_, the undersigned officer, personally appeared \_\_\_\_\_, who acknowledged himself to be the \_\_\_\_\_ of \_\_\_\_\_, a corporation, and that he as such \_\_\_\_\_, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself as \_\_\_\_\_.

In witness whereof, I hereunto set my hand and official seal.

\_\_\_\_\_  
\_\_\_\_\_  
Title of Officer

Any deed, conveyance, mortgage or other instrument in writing, made and executed by a corporation, may be acknowledged by any officer of said corporation whose signature appears on such deed, conveyance, mortgage or other instrument in writing, in execution or in attestation of the execution thereof.

(3) By an attorney in fact -

State of \_\_\_\_\_  
County of \_\_\_\_\_

On this, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_, before me \_\_\_\_\_, the undersigned officer, personally appeared \_\_\_\_\_, known to me (or satisfactorily proven) to be the person whose name is subscribed as attorney in fact for \_\_\_\_\_, and acknowledged that he executed the same as the act of his principal for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

\_\_\_\_\_  
\_\_\_\_\_  
Title of Officer

(4) By any public officer or deputy thereof or by any trustee, administrator, guardian or executor -

State of \_\_\_\_\_

County of \_\_\_\_\_

On this, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_, before me \_\_\_\_\_, the undersigned officer, personally appeared \_\_\_\_\_ of the State (County or City as the case may be) of \_\_\_\_\_ known to me (or satisfactorily proven) to be the person described in the foregoing instrument, and acknowledged that he executed the same in the capacity therein stated and for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

\_\_\_\_\_  
\_\_\_\_\_  
Title of Officer

(5) By an attorney at law -

State of \_\_\_\_\_  
County of \_\_\_\_\_

On this, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_, before me \_\_\_\_\_, the undersigned officer, personally appeared \_\_\_\_\_, known to me (or satisfactorily proven) to be a member of the bar of the highest court of said state and a subscribing witness to the within instrument, and certified that he was personally present when \_\_\_\_\_ whose name subscribed to the within instrument executed the same, and that said person \_\_\_\_\_ acknowledged that \_\_\_\_\_ he \_\_\_\_\_ executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

\_\_\_\_\_  
\_\_\_\_\_  
Title of Officer

1941, July 24, P.L. 490, § 7; 1947, June 21, P.L. 853, § 1. Added 1981, July 10, P.L. 226, No. 71, § 1, effective in 60 days.

**21 P. S. § 291.8. Execution of certificate**

The certificate of the acknowledging officer shall be completed by his signature, his official seal, if he has one, the title of his office, and, if he is a notary public, the date his commission expires. The existence or absence of an embossed impression on documents left for recording in the office of the recorder of deeds may be disregarded by the recorder.

1941, July 24, P.L. 490, § 8. Amended 1992, July 1, P.L. 346, No. 73, § 1, effective in 60 days.

**21 P. S. § 291.9. Authentication of acknowledgments**

(1) If the acknowledgment is taken within this State, or if taken without this State by an officer of this State, or is made without the United States by an officer of the United States, no authentication shall be necessary.

(2) If the acknowledgment is taken without this State, but in the United States, a territory or insular possession of the United States or the District of Columbia, no authentication shall be necessary if the official before whom the acknowledgment is taken affixes his official seal to the instrument so acknowledged otherwise the certificate

shall be authenticated by a certificate as to the official character of such officer, executed, (1) if the acknowledgment is taken by a clerk or deputy clerk of a court, by the presiding judge of the court, or, (2) if the acknowledgment is taken by some other authorized officer, by the official having custody of the official record of the election, appointment or commission of the officer taking such acknowledgment.

(3) If the acknowledgment is made without the United States and by a notary public or a judge or clerk of a court of record of the country where the acknowledgment is made, the certificate shall be authenticated by a certificate under the great seal of state of the country, affixed by the custodian of such seal, or by a certificate of a diplomatic, consular or commercial officer of the United States accredited to that country, certifying as to the official character of such officer.

1941, July 24, P.L. 490, § 9; 1947, June 21, P.L. 855, No. 354, § 1. As amended 1957, May 14, P.L. 134, § 1.

**21 P. S. § 291.10. Acknowledgments under laws of other states**

Acknowledgments under laws of other states. Notwithstanding any provision of this act contained, the acknowledgment of any instrument without this State in compliance with the manner and form prescribed by the laws of the place of its execution, if in a state, a territory or insular possession of the United States, or in the District of Columbia, verified by the official seal of the officer before whom it is acknowledged or authenticated, in the manner provided by section 9, subsection (2) hereof, shall have the same effect as an acknowledgment in the manner and form prescribed by the laws of this State for instruments executed within the State.

1941, July 24, P.L. 490, § 10. As amended 1957, May 14, P.L. 134, § 1.

**21 P. S. § 291.10a. Acknowledgment by persons serving in or with the armed forces of the United States or their dependents within or without the United States**

In addition to the acknowledgment of instruments in the manner and form and as otherwise now or hereafter authorized by the laws of this State or by this act, persons serving in or with the armed forces of the United States or their dependents, wherever located, may acknowledge the same before any commissioned officer in active service of the armed forces of the United States with the rank of Second Lieutenant or higher in the Army, Air Force, or Marine Corps, or Ensign or higher in the Navy or Coast Guard. The instrument shall not be rendered invalid by the failure to state therein the place of execution or acknowledgment. No authentication of the officer's certificate of acknowledgment shall be required but the officer taking the acknowledgment shall endorse thereon or attach thereto a certificate substantially in the following form:

“On this the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_, before me \_\_\_\_\_, the undersigned officer, personally appeared \_\_\_\_\_, (Serial No.) \_\_\_\_\_ (if any) known to me (or satisfactorily proven) to be (serving in or with the armed forces of the United States) (a dependent of \_\_\_\_\_ (Serial No.) \_\_\_\_\_ (if any) a person serving in or with the armed forces of the United States) and to be the person whose name is subscribed to the within instrument and acknowledged that \_\_\_\_\_ he \_\_\_\_\_ executed the same for the purposes therein contained. And the undersigned does further certify that he is at the date of this certificate a commissioned officer of the rank stated below and is in the active service of the armed forces of the United States.

Signature of the Officer

\_\_\_\_\_  
Rank and Serial No. of Officer and Command to which attached".  
1941, July 24, P.L. 490, § 10.1, added 1961, April 28, P.L. 130, § 2.

**21 P. S. § 291.11. Acknowledgments not affected by this Act**

No acknowledgment heretofore taken shall be affected by anything contained herein.  
1941, July 24, P.L. 490, § 11.

**21 P. S. § 291.12. Uniformity of interpretation**

This act shall be so interpreted as to make uniform the laws of those States which enact it.  
1941, July 24, P.L. 490, § 12.

**21 P. S. § 291.13. Name of Act**

This act may be cited as the Uniform Acknowledgment Act.  
1941, July 24, P.L. 490, § 13.

**28 P.S. § 1.44. Penalties for unauthorized duplication.**

Subject to the penalties provided in sections 901 and 902 of the Vital Statistics Law of 1953 (35 P. S. § § 450.901 and 450.902), no person may photograph, photostat, duplicate or issue what purports to be a certified copy, certification or certificate of birth, death or fetal death except for authorized employees of the Department of Health or its local registrars of vital statistics acting in accordance with directives, regulations or law governing their official duties.