

ACT 97

An Act Relating to Activities of Notaries Public in Respect of Banks, Trust Companies and Corporations and Amending Chapters 168 and 178 of the Revised Laws of Hawaii 1955, as Amended.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. Chapter 168 of the Revised Laws of Hawaii 1955, as amended, is hereby further amended by adding a new section thereto, to be appropriately numbered, and to read as follows:

“Section . Notary connected with a corporation or trust company; authority to act. It shall be lawful for any notary public, although an officer, employee, shareholder or director of a corporation and trust company to take the acknowledgment of any party to any written instrument executed to or by the corporation or trust company, or to administer an oath to any shareholder, director, officer, employee or agent of the corporation or trust company, or to protest for nonacceptance or nonpayment of bills of exchange, draft, checks, notes and other negotiable instruments which may be owned or held for collection by the corporation or trust company; provided, it shall be unlawful for any notary public to take the acknowledgment of any party to an instrument, or to protest any negotiable instrument, where the notary is individually a party to the instrument.”

SECTION 2. Chapter 178 of the Revised Laws of Hawaii 1955, as amended, is hereby further amended by amending Section 178-41 to read as follows:

“Section 178-41. Notary connected with bank; authority to act. It shall be lawful for any notary public, although an officer, employee, shareholder or director of a bank, to take the acknowledgment of any party to any written instrument executed to or by the bank, or to administer an oath to any shareholder, director, officer, employee or agent of the bank, or to protest for nonacceptance or nonpayment of bills of exchange, draft, checks, notes and other negotiable instruments which may be owned or held for collection by the bank; provided, it shall be unlawful for any notary public to take the acknowledgment of any party to an instrument, or to protest any negotiable instrument, where the notary is individually a party to the instrument.”

SECTION 3. This Act shall take effect upon its approval.

(Approved May 23, 1961.) S.B. 913.
