
Wisconsin Legislative Council

ACT MEMO



Prepared by: Peggy Hurley, Senior Staff Attorney

April 2, 2024

2023 Wisconsin Act 258
[2023 Assembly Bill 1099]

**Department of Financial
Institutions Remedial Legislation**

2023 Wisconsin Act 258 is remedial legislation introduced by the Law Revision Committee, at the request of the Department of Financial Institutions (DFI). The act changes the requirements for certification of a document by a notary public and repeals or updates obsolete references and statutory provisions.

NOTARY PUBLIC

The act makes several changes relating to certification by a notary public, including the following:

- Replacing several statutory references to a notary public’s seal or rubber stamp with references to the notary public’s official stamp, which is defined to include both a seal and rubber stamp.
- Replacing the requirements for a notary public’s official seal that creates an impression or rubber stamp imprint with a stamp that may, but need not, include the expiration date of the notary public’s commission and establishes that the imprint of an official stamp on a tangible record constitutes an embossment of an official notary public seal.
- Requiring a notary public who performs a notarial act to include a certificate that states the day, month, and year that the notary public’s commission expires or that the commission is permanent and establishing that this information may be part of the notary public’s official stamp affixed to or embossed on the certificate, written on the certificate if it is a tangible record, or attached to or otherwise logically associated with the certificate.
- Replacing a requirement that the official stamp of a notary public must include, in addition to the notary public’s name and other information required by DFI, the notary public’s jurisdiction and commission expiration date with a requirement that the official stamp include the words “Notary Public” and “State of Wisconsin.”
- Establishing that the official stamp of a notary public may, but need not, include the date that the notary public’s commission expires and may not include information that is not either required or expressly permitted in state law.

OUTDATED OR OBSOLETE PROVISIONS

The act repeals an obsolete restriction affecting certain transactions entered into before November 1, 1984, updates a reference to a federal statute that was renumbered and amended in 2010, and updates a reference to the Financial Industry Regulatory Authority, Inc.

Effective date: March 31, 2024

For a full history of the bill, visit the Legislature’s [bill history page](#).

PJH:jal