



Senate Fiscal Agency
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BILL ANALYSIS



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House Bill 5106 (Substitute H-2 as reported without amendment)

Sponsor: Representative Mary Schroer

House Committee: Judiciary and Civil Rights

Senate Committee: Economic Development, International Trade and Regulatory Affairs

CONTENT

The bill would amend Chapter 14 of the Revised Statutes of 1846 to require a nonresident notary public to have his or her principal place of business in Michigan; change the term of office as a notary public for licensed attorneys; and grant Michigan State legislators the powers of a notary public.

The Revised Statutes of 1846 allow the Secretary of State to appoint one or more notaries public in each county in Michigan. An applicant for appointment must be 18 years old when he or she applies, a Michigan citizen, and a resident of the county for which he or she seeks to be appointed. Notaries are appointed for four-year terms, with their term expiring on their birthday four years after appointment. The bill would add that the term of office of attorneys licensed by the State Bar of Michigan who received a notary public appointment and who were otherwise in compliance with the Revised Statutes would expire at such time as membership in the State Bar of Michigan was suspended, revoked, relinquished, or otherwise terminated.

The bill also specifies that a person would have to be *at least* 18 years old for a notary public appointment. An application for appointment for a nonresident of the State would have to demonstrate that the person's principal place of business was in the county in which he or she requested appointment, and indicate that he or she was engaged in an activity in which he or she was likely to be required to perform notarial acts.

MCL 55.107 & 55.117

Legislative Analyst: L Burghardt

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Date Completed: 11-21-96

Fiscal Analyst: R. Ross