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BILL ANALYSIS

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Senate Bill 1266 (as introduced 5-16-06)
Sponsor: Senator Michael D. Bishop
Committee: Local, Urban and State Affairs

Date Completed: 11-29-06

CONTENT

The bill would amend the Michigan Notary Public Act to exempt a licensed attorney who applied for a commission as a notary public from a requirement to post a surety bond before receiving the commission, and allow a licensed attorney to receive a commission to act as a notary public for as long as he or she was licensed as an attorney at law.

The Act authorizes the Secretary of State to appoint as a notary public a person who applies to the Secretary and meets specific criteria. These include a requirement that the applicant has filed a proper surety bond with the county clerk of his or her county of residence or expected appointment. Under the bill, that requirement would not apply to an applicant who demonstrated, in a manner acceptable to the Secretary, licensure as an attorney at law in the State.

Under the Act, a certificate of appointment must specify the term of the person's commission. The bill provides that, in the case of an applicant who was licensed as an attorney at law and was granted a commission, the term would continue as long as the individual was licensed as an attorney at law.

The Act requires a notary public to place his or her signature and certain other information on every record upon which he or she performs a notarial act. That information must include the date the individual's commission as a notary public expires. Under the bill, the information would have to include either the expiration date or the individual's State Bar of Michigan number.

MCL 55.271 et al.

Legislative Analyst: Curtis Walker

FISCAL IMPACT

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

Fiscal Analyst: Joe Carrasco

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