

**Department of Legislative Services**  
Maryland General Assembly  
2005 Session

**FISCAL AND POLICY NOTE**

Senate Bill 400

(Senators Miller and Haines)

Judicial Proceedings

Health and Government Operations

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**Secretary of State - Notary Public - Fees**

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This bill increases the maximum fee the Secretary of State may approve by regulation for performance of an original notarial act from \$2 to \$4.

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**Fiscal Summary**

**State Effect:** The bill would not materially affect State government operations.

**Local Effect:** None.

**Small Business Effect:** Potential minimal impact.

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**Analysis**

**Current Law:** The current limit for notary public fees is \$2 for an original notarial act and \$1 for each additional copy of the same notarized document. The Office of the Secretary of State is responsible for the promulgation of regulations to establish fees.

**Background:** The department notes that these fees were last increased in 1982. The department also indicates that this increase will bring the charges in line with surrounding jurisdictions. Notaries public are certified after completing certain procedural requirements. The commission of a notary runs four years and entitles the notary to charge up to \$2 per original notarial act. There are approximately 81,000 registered notaries public in Maryland.

**Small Business Effect:** To the extent that individuals who are certified as notaries public utilize that certification in a small business, revenues should increase substantially. To the extent that small businesses require notaries public to perform services for them, expenditures would increase minimally. While each document that a notary public notarized would increase revenues for the notary public, the expense increase for businesses would be spread among the many small businesses that require notarized documents.

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### **Additional Information**

**Prior Introductions:** A similar bill was introduced at the 2004 session as SB 48. The bill received a favorable report by the Judicial Proceedings Committee but was not approved by the Senate.

**Cross File:** HB 51 is identified as a cross file, but is not identical.

**Information Source(s):** Secretary of State, Department of Legislative Services

**Fiscal Note History:** First Reader - February 21, 2005  
ncs/hlb

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