

Chapter 450

(Senate Bill 190)

AN ACT concerning

State Government – Notary Public – Appointment

FOR the purpose of authorizing a State Senator to delegate the Senator's authority to approve an applicant for notary public to the Secretary of State; authorizing the Governor to appoint and commission, under certain circumstances, an individual as a notary public on the approval of the Secretary; requiring a certain application, under certain circumstances, to bear or be accompanied by the written approval of the Secretary; and generally relating to the appointment of a notary public.

BY repealing and reenacting, with amendments,
Article – State Government
Section 18–101 and 18–103(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – State Government

18–101.

(a) (1) [The] **EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE** Governor, on approval of the application by a Senator representing the senatorial district and subdistrict in which the applicant resides or on approval by any Senator if the senatorial office representing the senatorial district and subdistrict in which the applicant resides is vacant, may appoint and commission individuals as notaries public as provided in this title.

(2) (I) A SENATOR MAY DELEGATE THE SENATOR'S AUTHORITY TO APPROVE APPLICANTS UNDER THIS SUBSECTION TO THE SECRETARY OF STATE.

(II) IF A SENATOR HAS DELEGATED APPROVAL AUTHORITY UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE GOVERNOR MAY APPOINT AND COMMISSION AN INDIVIDUAL AS A NOTARY PUBLIC AS PROVIDED IN THIS TITLE ON APPROVAL OF THE APPLICATION BY THE SECRETARY OF STATE.

(b) (1) The Governor, on approval of the application by the Secretary of State and a member of the Senate of Maryland, shall appoint and commission out-of-state individuals as notaries public as provided in this title.

(2) An out-of-state notary shall be deemed to have irrevocably appointed the Secretary of State as the notary's agent upon whom may be served any summons, subpoena, subpoena duces tecum, or other process.

18-103.

(a) (1) An application for original appointment as a notary public shall be made on forms prepared by the Secretary of State and shall be sworn to by the applicant.

(2) (I) **[An] EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH,** AN application by a resident of the State shall bear or be accompanied by the written approval of a Senator representing the senatorial district and subdistrict in which the applicant resides or, if that office is vacant, by any Senator's written approval.

(II) IF A SENATOR HAS DELEGATED APPROVAL AUTHORITY UNDER § 18-101 OF THIS SUBTITLE, THE APPLICATION SHALL BEAR OR BE ACCOMPANIED BY THE WRITTEN APPROVAL OF THE SECRETARY OF STATE.

(3) An application by an out-of-state individual shall bear or be accompanied by the written approval of a Maryland State Senator.

(4) Completed applications shall be filed with the Secretary of State.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2013.

Approved by the Governor, May 16, 2013.