P1 6lr0903

By: Senator Brochin

Introduced and read first time: January 22, 2016

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

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State Government - Notary Public - Appointment and Removal

3 FOR the purpose of repealing a requirement that a notary public applicant receive certain approval from a certain State Senator; requiring a notary public applicant to receive 4 5 certain approval from the Secretary of State; repealing a requirement that a certain 6 individual appointed as a notary public be a resident of the senatorial district from 7 which the individual is appointed; authorizing the removal or suspension of a notary 8 public from office based on a request made to the Governor from the Secretary of 9 State instead of from a certain State Senator; making certain conforming changes; and generally relating to the appointment and removal of a notary public. 10

- 11 BY repealing and reenacting, with amendments,
- 12 Article State Government
- 13 Section 18–101, 18–102, 18–103(a), and 18–104(a)
- 14 Annotated Code of Maryland
- 15 (2014 Replacement Volume and 2015 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND.

17 That the Laws of Maryland read as follows:

Article – State Government

19 18–101.

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(a) **[**(1) Except as provided in paragraph (2) of this subsection, the **] 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 **] THE SECRETARY OF STATE**, may appoint and commission individuals as notaries public as provided in this title.



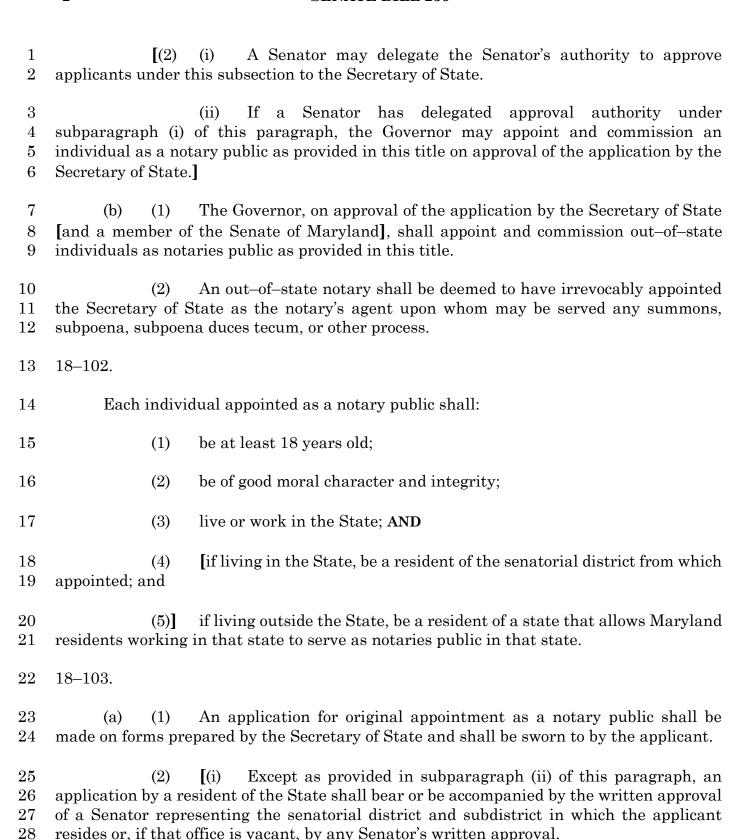
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(ii)

Secretary of State.



If a Senator has delegated approval authority under § 18–101 of

this title, the application shall bear or be accompanied by the written approval of the

- 1 (3) An application by an out—of—state individual shall bear or be accompanied by the written approval of a Maryland State Senator.
- 3 (4)] Completed applications shall be filed with the Secretary of State.
- 4 18–104.
- 5 (a) (1) A notary public may be removed or suspended from office by the Governor for good cause either on the Governor's own initiative or on a request made to the Governor in writing by the [Senator who approved the appointment] **SECRETARY OF STATE**.
- 9 (2) After notice to the notary and the opportunity for a hearing before the Secretary of State or the Secretary of State's designee, the Secretary of State shall submit a recommendation to the Governor for action as the Governor determines to be required in the case.
- SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2016.