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**Notaries Public - Notary Public Fund and Remote Notarial Acts  
House Health & Government Operations Committee**

**Tuesday, February 25, 2020**

**Testimony by:**

**Kathleen M. Smith, Assistant Secretary of State**

Thank you Chairwoman: Pendergrass, Vice Chair: Pena-Melnyk, and members of the Health & Government Operations Committee. I am here today to urge the Committee to vote in favor of House Bill 661 entitled Notaries Public - Notary Public Fund and Remote Notarial Acts. The Notary Public Fund will be used by the Office of the Secretary of State exclusively to cover expenses, including the implementation, regulation, administration, and enforcement of Senate Bill 678.

The Office of the Secretary of State is charged with the implementation, regulation, administration, and enforcement of 80,000+ Notaries Public. A Notary Public Fund will help defray costs required to comply with SB678, specifically:

- We have been working to modernize the legacy Notary database. SB678 requires technology for tracking, educating, testing, identifying Remote Notaries, etc. The estimate for licensing and maintenance fees alone will cost \$80,000 annually.
- Two (2) Notary Officers process applications; background checks; reference checks; interface with Clerks of the Court in every Maryland County for 80,000+ Notaries Public and, manually document the date each Notary was sworn in by the Clerk of the Court. Frankly, it's difficult to comprehend how two (2) Notary Officers manage the current workload. SB678 adds duties including, but not limited to: developing and delivering training, tracking training for traditional Notaries, tracking and training for Remote Notaries, vetting education vendors, and storing Notary journals.

We anticipate an increase in complaints requiring investigations adding to the volume of work of one (1) Investigator who investigates complaints not only against Notaries but also against Charities.

Additional legal staff is essential to handle the workload required to draft proposed regulations for Remote Notaries, provide advice on how to implement a new application, removal standards for Notaries, and review new forms, correspondence, policies and procedures required to lawfully execute SB678 for legal sufficiency.

Notary application fees would be redirected from the General Fund to a Notary Public Fund to help fund the requirements of SB678. A modest amount of funding would be impacted as Notary applications raise approximately \$200,000 annually.

I urge you to support House Bill 661 and authorize a Notary Public Fund to help fund the cost to implement, regulate, administer, and enforce SB678.

Thank you for your time and consideration.