

Department of Legislative Services
Maryland General Assembly
2004 Session

FISCAL AND POLICY NOTE

Senate Bill 631 (Senator Hooper, *et al.*)
Judicial Proceedings

Notaries Public - Qualifications

This bill requires that an individual appointed as a notary public be a U.S. citizen.

Fiscal Summary

State Effect: Minimal general fund revenue decrease.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: An individual appointed as a notary public must be at least 18 years old; be of good moral character and integrity; live or work in the State; if living in the State, be a resident of the Senatorial district from which appointed; and if living outside the State, be a resident of a state that allows Maryland residents working in that state to serve as notaries public in that state.

State Revenues: Notaries public are required to pay a certification fee of \$20 every four years to maintain their standing as a notary public. There are 104,047 active notaries public qualified to notarize documents in Maryland. The number of notaries public who are noncitizens is not tracked and is thus unknown. For illustrative purposes only, if 5% of currently authorized notaries public are not U.S. citizens, general fund revenues would decrease by approximately \$26,000 annually.

Background: Virginia requires U.S. citizenship for appointment as a notary public. West Virginia has a reciprocity clause in statute that permits noncitizens to be appointed notaries public if they are citizens of a country that permits U.S. citizens to receive an appointment. Pennsylvania and Delaware do not require U.S. citizenship to become a notary public.

Additional Information

Prior Introductions: None.

Cross File: None.

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

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lc/hlb

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