

Department of Legislative Services
Maryland General Assembly
2004 Session

FISCAL AND POLICY NOTE

Senate Bill 48

(Chairman, Judicial Proceedings Committee)

(By Request – Departmental – Secretary of State)

Judicial Proceedings

Secretary of State - Notary Public Fees and Travel Expenses

This departmental bill raises the maximum fee the Secretary of State may approve by regulation for performance of an original notarial act from \$2 to \$5 and defines the lesser amount notaries may charge for the repetition of an original notarial act as \$3.

The bill also increases the reimbursement rate notaries may charge for travel from \$0.19 to \$0.34 per mile and raises the maximum fee that notaries may charge for travel from \$5 to \$10.

Fiscal Summary

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

Local Effect: None.

Small Business Effect: The Office of the Secretary of State has determined that this bill has no impact on small business (attached). Legislative Services disagrees with this assessment as discussed below.

Analysis

Current Law: Current law does not provide a limitation on the “appropriate lesser amount” a notary public may charge for the repetition of an original notarial act.

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. There are 104,047 active notaries qualified to notarize documents in Maryland. This number includes notaries who live in Pennsylvania, Virginia, Delaware, and the District of Columbia. In the past four years, 71,036 Maryland residents have registered to become notaries.

Small Business Effect: To the extent that individuals who are certified as a notary public utilize that certification in a small business, revenues should increase substantially. To the extent that small businesses require notary publics 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.

Additional Information

Prior Introductions: None.

Cross File: None.

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

Fiscal Note History: First Reader - January 13, 2004
mh/hlb

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