

# SENATE BILL 222

P1  
SB 28/06 – JPR

71r0661

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By: **Senator Kittleman**  
Introduced and read first time: January 29, 2007  
Assigned to: Judicial Proceedings

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## A BILL ENTITLED

1 AN ACT concerning

2 **State Government – Notary Public – Appointment**

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

12 BY repealing and reenacting, with amendments,  
13 Article – State Government  
14 Section 18–101, 18–102, 18–103(a), and 18–104(a)(1)  
15 Annotated Code of Maryland  
16 (2004 Replacement Volume and 2006 Supplement)

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

19 **Article – State Government**

20 18–101.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) The Governor, on approval of the application by [a Senator representing  
2 the senatorial district and subdistrict in which the applicant resides or on approval by  
3 any Senator if the senatorial office representing the senatorial district and subdistrict  
4 in which the applicant resides is vacant] **THE SECRETARY OF STATE**, may appoint  
5 and commission individuals as notaries public as provided in this title.

6 (b) (1) The Governor, on approval of the application by the Secretary of  
7 State [and a member of the Senate of Maryland], shall appoint and commission  
8 out-of-state individuals as notaries public as provided in this [article] **TITLE**.

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

12 18-102.

13 Each individual appointed as a notary public shall:

14 (1) be at least 18 years old;

15 (2) be of good moral character and integrity;

16 (3) live or work in the State; **AND**

17 (4) [if living in the State, be a resident of the senatorial district from  
18 which appointed; and

19 (5)] if living outside the State, be a resident of a state that allows  
20 Maryland residents working in that state to serve as notaries public in that state.

21 18-103.

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

25 (2) [An application by a resident of the State shall bear or be  
26 accompanied by the written approval of a Senator representing the senatorial district  
27 and subdistrict in which the applicant resides or, if that office is vacant, by any  
28 Senator's written approval.

1           (3) An application by an out-of-state individual shall bear or be  
2 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  
6 Governor for good cause either on the Governor's own initiative or on a request made  
7 to the Governor in writing by the [Senator who approved the appointment]  
8 **SECRETARY OF STATE.**

9           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
10 October 1, 2007.