

**Department of Legislative Services**  
Maryland General Assembly  
2007 Session

**FISCAL AND POLICY NOTE**

Senate Bill 421 (Senator Madaleno)  
Judicial Proceedings

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**Notaries Public - Qualifications**

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This bill requires notaries public in the State to meet continuing education requirements established by the Secretary of State. Notaries commissioned after the bill's effective date must complete a one-time criminal history records check and complete a notary education course approved by the Secretary of State or a course offered by either a community college or professional notary association.

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**Fiscal Summary**

**State Effect:** None. The Secretary of State's office could develop new regulations governing continuing education for notaries public with existing resources.

**Local Effect:** None.

**Small Business Effect:** Meaningful. Individuals serving as notaries public would have to pay for both continuing education and notary education courses as well as for a criminal background check.

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**Analysis**

**Current Law:** Notaries public in Maryland must:

- be at least 18 years of age;
- 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 in that state.

**Background:** In fiscal 2006, the Secretary of State's office processed 25,403 notary public commissions. Notaries may charge a fee of \$2 for each notarial act. They may also request reimbursement of 31 cents per mile and a fee of \$5 for travel required to perform a notarial act.

**Small Business Effect:** Individual notaries public will have to pay a one-time minimum of \$68, and as much as \$98, to meet the criteria required by this bill. The Department of Public Safety and Correctional Services charges \$18 for a statewide criminal background check and \$20 for fingerprinting. The Secretary of State's office advises that fees for notary education courses range from \$30 to \$60. In addition, notaries will face ongoing tuition costs to meet the continuing education requirements established by the Secretary of State. Tuition for continuing education courses vary according to the length and sponsors of the courses and cannot be estimated reliably.

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### Additional Information

**Prior Introductions:** SB 518 of 2002, an identical bill, received an unfavorable report from the Senate Judicial Proceedings Committee.

**Cross File:** None.

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

**Fiscal Note History:** First Reader - February 12, 2007  
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