

Department of Legislative Services
 Maryland General Assembly
 2009 Session

FISCAL AND POLICY NOTE

Senate Bill 126 (Senator Brochin, *et al.*)
 Judicial Proceedings

State Government - Notary Public - Appointment

This bill requires the Secretary of State to approve all applications for notary public appointments and eliminates the requirement that such applications be approved by State senators representing the districts in which the applicants reside. It also repeals the requirement that, if living in the State, an individual appointed as a notary public be a resident of the senatorial district from which the individual is appointed.

Fiscal Summary

State Effect: General fund expenditures increase by \$55,700 in FY 2010. Future year expenditures reflect annualization and inflation. Revenues are not affected.

(in dollars)	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	55,700	70,000	73,200	76,600	80,200
Net Effect	(\$55,700)	(\$70,000)	(\$73,200)	(\$76,600)	(\$80,200)

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: All applications for notary public commissions must be approved by the State senator representing the senatorial district in which an applicant resides. If the senate seat for the district in which an applicant resides is vacant, any State senator may approve the application. The Secretary of State approves applications only for notary

public commissions from out-of-state applicants, which must also be approved by any State senator. Once a notary public application is approved, the Governor appoints and commissions all notaries public.

State Expenditures: In fiscal 2008, the Secretary of State’s office processed 22,503 notary public commissions. Currently, the Secretary of State’s office merely processes applications for commissions that have been approved by State senators representing the applicants. Under the terms of the bill, the Secretary of State’s office would have to review all new applications to ensure that applicants met the qualifications for notaries public. This would include confirming that applicants were residents of Maryland, verifying their references, and in general establishing that the applicants were “of good moral character and integrity,” as required by statute.

General fund expenditures increase by an estimated \$55,708 in fiscal 2010, which accounts for the bill’s October 1, 2009 effective date. This estimate reflects the cost of hiring one notary investigator to carry out the expanded duties for the Secretary of State’s office. It includes salary, fringe benefits, one-time start-up costs, and ongoing operating expenses.

Salary and Fringe Benefits	\$46,985
Operating Expenses	<u>8,723</u>
Total FY 2010 State Expenditures	\$55,708

Future year expenditures reflect full salary with 4.4% annual increases and 3% employee turnover; and 1% annual increases in ongoing operating expenses.

Additional Information

Prior Introductions: This bill is identical to SB 222 of 2007 and SB 28 of 2006, which received unfavorable reports from the Senate Judicial Proceedings Committee.

Cross File: None.

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

Fiscal Note History: First Reader - January 27, 2009
mcp/hlb

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