

Department of Legislative Services
 Maryland General Assembly
 2011 Session

FISCAL AND POLICY NOTE

Senate Bill 100 (Senator Kittleman)
 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 a State senator. 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 \$42,700 in FY 2012. Future year expenditures reflect annualization and inflation. Revenues are not affected.

(in dollars)	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	42,700	56,500	59,600	62,700	66,100
Net Effect	(\$42,700)	(\$56,500)	(\$59,600)	(\$62,700)	(\$66,100)

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 Fiscal Effect: In fiscal 2010, the Secretary of State’s office processed almost 22,000 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 must review all new applications to ensure that applicants meet the qualifications for notaries public. This process includes confirming that applicants are residents of Maryland, verifying applicants’ references, and generally establishing that applicants are “of good moral character and integrity” as required by statute.

General fund expenditures increase by an estimated \$42,716 in fiscal 2012, which accounts for the bill’s October 1, 2011 effective date. This estimate reflects the cost of hiring one notary officer 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.

Position	1
Salary and Fringe Benefits	\$41,133
Operating Expenses	<u>\$1,583</u>
Total FY 2012 State Expenditures	\$42,716

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: SB 846 of 2010 received a hearing in the Senate Judicial Proceedings Committee, but no further action was taken. In addition, this bill is identical to SB 126 of 2009, SB 222 of 2007, and SB 28 of 2006, all of 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 - February 1, 2011
mc/hlb

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