

Department of Legislative Services
Maryland General Assembly
2018 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 247

(Senators Norman and Feldman)

Judicial Proceedings

State Government - Notaries Public - Travel Fees

This bill authorizes a notary public to charge a “reasonable fee” as compensation for travel required to perform a notarial act. Travel fees established in statute and by regulation are repealed. A notary public must (1) inform the person requesting a notarial act of the travel fee that will be charged *before* incurring the expense and (2) provide the person who paid for the notarial act with a receipt that separately itemizes the travel fee.

Fiscal Summary

State Effect: None. The change does not directly affect governmental operations or finances.

Local Effect: None.

Small Business Effect: Minimal.

Analysis

Current Law: A notary public must (1) be at least age 18; (2) be of good moral character and integrity; (3) live or work in Maryland; and (4) be a resident of the senatorial district in which they are appointed or, if living outside the state, be a resident of a state that allows Maryland residents working in that state to serve as notaries.

The Secretary of State must adopt regulations to establish fees for notaries, as specified. Pursuant to statute, a notary public may charge 19 cents per mile for travel, or a higher amount established by regulation, and a fee not to exceed \$5. Current regulations authorize

a notary public to receive reimbursement for travel at a rate of 31 cents per mile and a fee not to exceed \$5.

Background: The Pennsylvania Department of State authorizes notaries to charge a “customary and reasonable” administrative fee for travel expenses. Virginia’s Secretary of the Commonwealth authorizes a notary to charge “actual travel expenses.”

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Secretary of State; Pennsylvania Department of State; Virginia Secretary of the Commonwealth; Department of Legislative Services

Fiscal Note History: First Reader - January 29, 2018
mm/mcr

Analysis by: Michelle Davis

Direct Inquiries to:
(410) 946-5510
(301) 970-5510