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To: Members of The Judicial Proceedings Committee

From: Mark Glazer, Executive Director

Date: February 2, 2021

Subject: SB 360 -- State Government – Notaries Public – Notary Public Fund and Remote Notarial Acts

Position: **Support with Amendment**

The Maryland Land Title Association (MLTA) supports, with a slight amendment, Senate Bill 360 -- State Government – Notaries Public – Notary Public Fund and Remote Notarial Acts. The bill will create The Notary Public Fund as a means to assist the office of the Secretary of State in overseeing and implementing the laws and regulations governing notaries public, including their education, in the State and is consistent with recommendations from the Notary Public Workgroups in 2018 and 2019 that was comprised of all stakeholders.

Our slight amendment is to try to make sure that the Fund is used in connection with the Secretary's duties with respect to regulating, servicing, educating and commissioning of notaries, as well as other functions related to laws governing notaries public in Maryland.

The MLTA appreciates the challenges associated with the efficient use of taxpayer money. Fees flowing into The Notary Public Fund will fluctuate from time to time, but they will all come from commissioned notaries, applicants and those seeking information from the Secretary of State related to them. Thus, the Fund should be used solely for purposes related to notaries public. Because the term "Title" is not found within the definitions of the State Government Article, we urge that the following amendments be made to the bill so there is no misunderstanding in the future:

be amended on lines 22-24 on page 4:

"(C)THE PURPOSE OF THE FUND IS TO PROVIDE FUNDING TO SUPPORT THE ACTIONS OF THE SECRETARY OF STATE IN IMPLEMENTING, REGULATING, ADMINISTERING AND ENFORCING THIS-TITLE 18 OF THE STATE GOVERNMENT ARTICLE."

be amended on lines 6-8 on page 5:

"(G)THE FUND MAY BE USED ONLY TO COVER THE EXPENSES, INCLUDING ADMINISTRATIVE EXPENSES, OF THE OFFICE OF THE SECRETARY OF STATE IN CARRYING OUT THE DUTIES OF THE SECRETARY OF STATE UNDER THIS-TITLE 18 OF THE STATE GOVERNMENT ARTICLE."

SB 360 will provide much needed funds for the Secretary of State to carry out its responsibilities with respect to notaries public. For the reasons stated above, the MLTA **supports SB 360 with amendments** and urges a favorable committee report.