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BILL ANALYSIS

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Senate Bill 908 (Substitute S-1 as reported)
Sponsor: Senator Bev Hammerstrom
Committee: Local, Urban and State Affairs

CONTENT

The bill would amend the Michigan Notary Public Act to revise the information that must appear on a record that is notarized, and to repeal Section 29 of the Act, which allows a notary public to use a "plain English notary form".

The bill would require a record on which a notary public performs a notarial act to include the following information:

- The statement "Acting in the County of _____." if the notary public were performing a notarial act in a county other than his or her county of commission (rather than in all cases, as currently required).
- The date the notarial act was performed.
- The name of the notary public exactly as it appears on his or her application for commission as a notary, rather than as it appears on his or her certificate of appointment.

Under the Act, the required information must be printed "clearly and legibly". The bill would require that the information be sufficiently clear and legible to be read by the Secretary of State, and in the format shown in the Act (as revised by the bill) or in a similar format that conveyed all of the same information. The bill also would require a notary to sign his or her name exactly as it appears on his or her application for commission as a notary, rather than as it appears on his or her certificate of appointment.

Section 29 allows a notary public to use a plain English notary form for an affidavit or sworn statement or for an acknowledgement for an individual acting in his or her own behalf, a copartnership, a limited partnership, a corporation, a limited liability company, a public officer, a trustee, or a personal representative. The bill would repeal that section.

MCL 55.287

Legislative Analyst: Suzanne Lowe

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Date Completed: 2-27-06

Fiscal Analyst: Bill Bowerman