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BILL ANALYSIS

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Senate Bill 908 (as introduced 11-30-05)
Sponsor: Senator Bev Hammerstrom
Committee: Local, Urban and State Affairs

Date Completed: 2-16-06

CONTENT

The bill would amend the Michigan Notary Public Act to delete the requirement that a notary public include a statement as to the county in which he or she is acting when notarizing a document.

The Act provides that, on each record that a notary public performs a notarial act and as near the notary public's signature as is practical, the notary public must print, type, stamp or otherwise imprint mechanically or electronically, clearly and legibly, in a manner capable of photographic reproduction, all of the following:

- The name of the notary public exactly as it appears on his or her notary public certificate of appointment.
- The statement: "Notary public, State of Michigan, County of _____."
- The statement: "My commission expires _____."
- The statement: "Acting in the County of _____."

The bill would delete the requirement that the notary public include the statement: "Acting in the County of _____." on each record.

The Act also allows a notary public to use a notary form known as a plain English notary form. The Act describes the plain English notary forms that may be used 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. Among other things, a plain English notary form must include the notary's name, county, "acting in county", and date commission expires.

Under the bill, a plain English form no longer would have to include the "acting in county".

MCL 55.287 & 55.289

Legislative Analyst: J.P. Finet

FISCAL IMPACT

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

Fiscal Analyst: Bill Bowerman

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