

SENATE BILL No. 908

November 30, 2005, Introduced by Senator HAMMERSTROM and referred to the Committee on Local, Urban and State Affairs.

A bill to amend 2003 PA 238, entitled
"Michigan notary public act,"
by amending sections 27 and 29 (MCL 55.287 and 55.289).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 27. (1) A notary public shall place his or her
2 signature on every record upon which he or she performs a
3 notarial act. The notary public shall sign his or her name
4 exactly as his or her name appears on his or her notary public
5 certificate of appointment received from the secretary.
- 6 (2) On each record that a notary public performs a notarial
7 act and immediately near the notary public's signature, as is
8 practical, the notary public shall print, type, stamp, or
9 otherwise imprint mechanically or electronically clearly and

1 legibly and in a manner capable of photographic reproduction all
2 of the following:

3 (a) The name of the notary public exactly as it appears on
4 his or her notary public certificate of appointment.

5 (b) The statement: "Notary public, State of Michigan, County
6 of _____."

7 (c) The statement: "My commission expires _____."

8 ~~_____ (d) The statement: "Acting in the County of _____."~~

9 (3) A notary public may use a stamp seal or electronic
10 process that contains, at a minimum, all of the information
11 required by subsection (2). However, the seal or process shall
12 not be used in a manner that renders anything illegible on the
13 record being notarized. An embosser alone or any other method
14 that cannot be reproduced shall not be used.

15 (4) The illegibility of the statements required in
16 subsection (2) does not affect the validity of the transaction or
17 record that was notarized.

18 Sec. 29. (1) A notary public may use a notary form set forth
19 in this section. A notary form set forth in this section shall be
20 known as a plain English notary form and may be referred to by
21 that name. A notary form set forth in this section that is
22 properly executed is considered sufficient to accomplish its
23 stated purpose under the law of this state. This section does not
24 prohibit the use of other notary forms.

25 (2) An affidavit or sworn statement may be substantially in
26 the following form:

1 SWORN STATEMENT OF MARY DOE

2 I, Mary Doe, (explanation of who Mary Doe is, followed
by statements of fact made by Mary Doe).

Signature of Mary Doe

3 Mary Doe

4 Signed and sworn to before me in _____ County, Michigan, on
5 _____, _____ (year).

6 Notary's Notary's
7 Stamp _____ Signature _____
8 (Notary's name, county,
9 ~~acting in county,~~ and
10 date commission expires)

11 (3) An acknowledgment for an individual acting in his or her
12 own behalf may be substantially in the following form:
13 Acknowledged before me in _____ County, Michigan, on
14 _____, _____ (year) by Mary Doe.

15 Notary's Notary's
16 Stamp _____ Signature _____
17 (Notary's name, county,
18 ~~acting in county,~~ and
19 date commission expires)

20 (4) An acknowledgment for a copartnership may be
21 substantially in the following form:
22 Acknowledged before me in _____ County, Michigan, on
23 _____, _____ (year) by Mary Doe, partner of X

1 partnership, a Michigan copartnership, for the copartnership.

2 Notary's _____ Notary's
 3 Stamp _____ Signature _____
 4 (Notary's name, county,
 5 ~~acting in county,~~ and
 6 date commission expires)

7 (5) An acknowledgment for a limited partnership may be
 8 substantially in the following form:

9 Acknowledged before me in _____ County, Michigan, on
 10 _____, _____ (year) by Mary Doe, general partner of X
 11 partnership, a Michigan limited partnership, for the limited
 12 partnership.

13 Notary's _____ Notary's
 14 Stamp _____ Signature _____
 15 (Notary's name, county,
 16 ~~acting in county,~~ and
 17 date commission expires)

18 (6) An acknowledgment for a corporation may be substantially
 19 in the following form:

20 Acknowledged before me in _____ County, Michigan, on
 21 _____, _____ (year) by Mary Doe, president of X
 22 company, a Michigan corporation, for the corporation.

23 Notary's _____ Notary's
 24 Stamp _____ Signature _____
 25 (Notary's name, county,

1 ~~acting in county,~~ and
 2 date commission expires)

3 (7) An acknowledgment for a limited liability company may be
 4 substantially in the following form:

5 Acknowledged before me in _____ County, Michigan, on
 6 _____, _____ (year) by Mary Doe, member of X company,
 7 a Michigan limited liability company, for the company.

8 Notary's _____ Notary's
 9 Stamp _____ Signature _____
 10 (Notary's name, county,
 11 ~~acting in county,~~ and
 12 date commission expires)

13 (8) An acknowledgment for a public officer may be
 14 substantially in the following form:

15 Acknowledged before me in _____ County, Michigan, on
 16 _____, _____ (year) by Mary Doe, director of the
 17 Michigan department of X.

18 Notary's _____ Notary's
 19 Stamp _____ Signature _____
 20 (Notary's name, county,
 21 ~~acting in county,~~ and
 22 date commission expires)

23 (9) An acknowledgment for a trustee may be substantially in
 24 the following form:

25 Acknowledged before me in _____ County, Michigan, on
 26 _____, _____ (year) by Mary Doe, trustee of the X

1 trust.

2 Notary's _____ Notary's
 3 Stamp _____ Signature _____
 4 (Notary's name, county,
 5 ~~acting in county,~~ and
 6 date commission expires)

7 (10) An acknowledgment for a personal representative may be
 8 substantially in the following form:

9 Acknowledged before me in _____ County, Michigan, on
 10 _____, _____ (year) by Mary Doe, personal
 11 representative of the estate of John Doe.

12 Notary's _____ Notary's
 13 Stamp _____ Signature _____
 14 (Notary's name, county,
 15 ~~acting in county,~~ and
 16 date commission expires)