

Legislative Analysis



NOTARY PUBLIC RECORD KEEPING REQUIREMENTS

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House Bill 4640

Sponsor: Rep. Bert Johnson

Committee: Regulatory Reform

Complete to 8-25-09

A SUMMARY OF HOUSE BILL 4640 AS INTRODUCED 3-19-09

House Bill 4640 would amend the Michigan Notary Public Act to set requirements for record keeping.

The bill requires that a notary public keep, maintain, and protect under his or her exclusive control, a chronological paper or electronic official journal of notarial acts. The journal must contain the following entries for each notarial act:

- The date and time of the notarial act.
- The type of notarial act.
- The type, title, or description and date of every record notarized.
- The name, address, signature, and, in the case of real estate records, the right thumbprint of each person whose signature is notarized.
- A description of the satisfactory evidence relied upon to identify each person whose signature is notarized, including one or more of the following: (1) a statement that the person is "personally known" to the notary; (2) a notation of the type of identification document, its issuing agency, its serial or identification number, and its date of issuance or expiration; and (3) the name, address, and signature of any credible witness.
- A fee, if any, charged for the notarial act.

MCL 55.285

FISCAL IMPACT:

House Bill 4640 would have no fiscal impact on the State of Michigan or local units of government.

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