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House Bill 5269 (as passed by the House)
Sponsor: Representative Holly Hughes
House Committee: Local, Intergovernmental, and Regional Affairs
Senate Committee: Local Government and Elections

Date Completed: 12-5-12

CONTENT

The bill would amend the Michigan Notary Public Act to expand the misdemeanors for which a person's notary public commission must be revoked; and require a notary public who was convicted of any felony or misdemeanor to notify the Secretary of State (SOS) within 10 days.

Under the Act, if an individual commissioned as a notary public in Michigan is convicted of a felony, the SOS automatically must revoke the person's notary public commission on the date the conviction is entered.

If an individual commissioned as a notary public in Michigan is convicted of two or more misdemeanors involving a violation of the Act within a 12-month period while commissioned, or of three or more misdemeanors within a five-year period regardless of being commissioned, the SOS automatically must revoke the person's notary public commission on the date that the most recent misdemeanor conviction is entered. The bill would refer to "specified misdemeanors" in this provision, and require the SOS to revoke the person's commission on the date that the SOS determined that the misdemeanor of which the person was convicted was a specified misdemeanor.

"Specified misdemeanor" would mean a misdemeanor that the SOS determined involved any of the following:

- A violation of the Act.
- A violation of the public trust.
- An act of official misconduct, dishonesty, fraud, or deceit.
- An act substantially related to the duties or responsibilities of a notary public.

The bill would require an individual commissioned as a notary public in Michigan who was convicted of any felony or misdemeanor in any court to notify the SOS of the conviction in writing within 10 days after the date of the conviction.

MCL 55.301

Legislative Analyst: Julie Cassidy

FISCAL IMPACT

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

Fiscal Analyst: Joe Carrasco

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