

# HOUSE BILL NO. 4541

June 03, 2025, Introduced by Reps. Paiz, Rheingans, Breen, Glanville, T. Carter, MacDonell, Weiss, Mentzer, Miller, Snyder and Byrnes and referred to Committee on Regulatory Reform.

A bill to amend 2003 PA 238, entitled  
"Michigan law on notarial acts,"  
by amending sections 11 and 15 (MCL 55.271 and 55.275), section 11  
as amended by 2018 PA 361 and section 15 as amended by 2018 PA 360.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1       Sec. 11. (1) The secretary may appoint **an individual** as a  
2       notary public ~~an individual~~ who applies to the secretary and meets  
3       all of the following qualifications:  
4       (a) Is ~~at least~~ **not less than** 18 years of age.  
5       (b) Is a resident of this state or maintains a principal place

1 of business in this state.

2 (c) Reads and writes in the English language.

3 (d) Has not been convicted of a felony ~~, misdemeanor, or~~  
 4 ~~violation described in section 41.~~ **as that term is defined in**  
 5 **section 41(5) or a specified misdemeanor as defined in section**  
 6 **41(2).**

7 (e) For an applicant who does not reside in ~~the state of~~  
 8 ~~Michigan,~~ **this state**, demonstrates that ~~his or her~~ **the applicant's**  
 9 principal place of business is located in the county in which ~~he or~~  
 10 ~~she~~ **the applicant** requests appointment and indicates that ~~he or she~~  
 11 **the applicant** is engaged in an activity in connection with that  
 12 business in which ~~he or she~~ **the applicant** is likely to be required  
 13 to perform **a notarial act.**

14 (f) If applicable, has filed with the county clerk of ~~his or~~  
 15 ~~her~~ **the applicant's** county of residence or expected appointment a  
 16 surety bond and an oath under section 13, in a format acceptable to  
 17 the secretary. The requirement of filing a bond does not apply to  
 18 an applicant ~~that~~ **who** demonstrates, in a manner acceptable to the  
 19 secretary, licensure as an attorney at law in this state.

20 (2) The secretary shall, on a monthly basis, notify the county  
 21 clerk's office of the appointment of any notaries in that county.

22 **(3) The secretary shall issue a notary public identification**  
 23 **number to an individual appointed as a notary public in this state.**

24 Sec. 15. (1) An individual shall apply to the secretary for  
 25 appointment as a notary public in a format as prescribed by the  
 26 secretary. Unless the application is submitted electronically under  
 27 subsection (5), an application for appointment as a notary public  
 28 must include the handwritten signature of the applicant. An  
 29 application must include all of the following information:

1 (a) The applicant's name, residence address, business address,  
2 date of birth, residence and business telephone numbers, and  
3 ~~electronic mail~~ **email** address.

4 (b) The applicant's driver license or state personal  
5 identification card number.

6 (c) A validated copy of the filing of the bond, if applicable,  
7 and oath certificate received from the county clerk.

8 (d) If applicable, a statement showing whether the applicant  
9 has previously applied for an appointment as a notary public in  
10 this **state** or any other state, the result of the application, and  
11 whether the applicant has ever been the holder of a notary public  
12 appointment that was revoked, suspended, or canceled in this **state**  
13 or any other state.

14 (e) A statement describing the date and circumstances of any  
15 felony or misdemeanor conviction of the applicant during the  
16 preceding 10 years.

17 (f) A declaration that the applicant is a citizen of the  
18 United States or, if not a citizen of the United States, proof of  
19 the applicant's legal presence in this country.

20 (g) An affirmation by the applicant that the application is  
21 correct, that the applicant has read this act, and that the  
22 applicant will perform ~~his or her~~ **the applicant's** notarial acts  
23 faithfully.

24 (h) Any other information required by the secretary.

25 (2) An application processing fee of \$10.00 must accompany an  
26 application or be paid electronically under subsection (5). The  
27 secretary shall deposit \$1.00 of each fee collected under this  
28 subsection into the notary education and training fund established  
29 in section 17 on a schedule determined by the secretary.

1           (3) When ~~he or she~~ **the secretary** receives an application and  
2 the prescribed processing fee, the secretary may inquire as to the  
3 qualifications of the applicant and shall determine whether the  
4 applicant meets the qualifications for appointment as a notary  
5 public under this act. To assist in deciding whether the applicant  
6 is qualified, the secretary may use the law enforcement information  
7 network as provided in the C.J.I.S. policy council act, 1974 PA  
8 163, MCL 28.211 to 28.215, or the internet criminal history access  
9 tool (ICHAT) maintained by the department of state police, to check  
10 the criminal background of the applicant.

11           (4) After approval of an application for appointment as a  
12 notary public, the secretary shall mail directly to the applicant  
13 the certificate of appointment as a notary public. Each certificate  
14 of appointment shall identify the individual as a notary public of  
15 this state, ~~and shall specify the term and county of his or her~~ **the**  
16 **individual's** commission, **and include the individual's notary public**  
17 **identification number.**

18           (5) The secretary may develop and implement an electronic  
19 application and payment process for individuals who are seeking  
20 appointment as a notary public. Except as provided in this section,  
21 all of the requirements of this section apply to an application or  
22 payment made using this electronic process.