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BILL ANALYSIS

Senate Fiscal Agency

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Senate Bill 45 (as reported without amendment)

Sponsor: Senator Dan L. DeGrow

Committee: Judiciary

Date Completed: 10-21-87

RATIONALE

Chapter 14 of the Revised Statutes of 1846 requires a notary application to be endorsed by a State legislator or circuit or probate judge from the county, district, or circuit where the applicant is a resident. Some feel that endorsement by a district judge also should be allowed, particularly in an area in which the other officials are not located at a convenient distance from the applicant.

CONTENT

Senate Bill 45 would amend Chapter 14 of the Revised Statutes of 1846 to allow a notary application to be endorsed by a district judge, in addition to officials already specified in the law. The statute states that a notary application must be endorsed by a State legislator or circuit or probate judge from the county, district, or circuit where the applicant is a resident.

MCL 55.107

FISCAL IMPACT

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

ARGUMENTS***Supporting Argument***

By extending to district judges the authority to endorse applications, the bill would make notary public application an easier and more accessible process. The law already requires endorsement of applications by a State legislator, circuit judge, or probate judge. In many cases, a district judge may be more accessible than any of these other public officials. The bill would make the process for appointment and dismissal of notaries public more accessible and efficient. The bill also would exchange references to the Governor's authority to appoint and dismiss notaries with references to the Department of State's authority to do so. The Department reportedly was granted that authority several years ago, and the language in the statute is obsolete.

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.

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