



HOUSE BILL No. 5461

February 29, 2000, Introduced by Reps. Green, Julian, Gilbert, DeRossett, Ehardt, Caul, Geiger, Richner, Van Woerkom, Schermesser, Vander Roest, Faunce, Kowall, Sanborn, Shackleton and Jansen and referred to the Committee on Criminal Law and Corrections.

A bill to amend 1846 RS 14, entitled
"Of county officers,"
by amending section 107 (MCL 55.107), as amended by 1997 PA 60.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 107. (1) The secretary of state may appoint 1 or more
2 individuals notaries public in each county of this state. ~~—, who—~~
3 UNLESS REMOVED BY THE SECRETARY OF STATE, A NOTARY PUBLIC shall
4 hold ~~their offices~~ OFFICE from the date of ~~their~~ appointment
5 until ~~their~~ HIS OR HER birthday occurring not less than 4 years
6 or more than 5 years after the date of ~~their~~ appointment. ~~—,~~
7 ~~unless sooner removed by the secretary of state.~~

8 (2) In order to receive an appointment, an individual shall
9 be, at the time of application, at least 18 years of age, a
10 resident of the county of which he or she desires to be appointed
11 notary public, and a citizen of this state. ~~In the case of~~ IF

1 a person ~~who~~ does not reside in the state of Michigan, an
2 application for appointment as a notary public shall demonstrate
3 that his or her principal place of business is located in the
4 county in which he or she requests appointment and shall indicate
5 that he or she is engaged in an activity in which he or she is
6 likely to be required to perform notarial acts as that term is
7 defined in section 2 of THE UNIFORM RECOGNITION OF ACKNOWLEDG-
8 MENTS ACT, 1969 PA 57, MCL 565.262.

9 (3) ~~The~~ AN individual desiring to be appointed shall
10 submit a written application on a form distributed by the county
11 clerk of each county, stating the age of the applicant. The
12 application shall be indorsed by a member of the legislature or a
13 circuit or probate judge of the county, district, or circuit of
14 which the applicant is a resident, and be presented to the secre-
15 tary of state, accompanied by a fee of \$3.00. The application
16 form shall not be indorsed in blank before completion and signa-
17 ture by the applicant.

18 (4) The secretary of state may revoke a commission issued to
19 a notary public upon presentation to him or her of satisfactory
20 evidence of official misconduct, ~~or~~ incapacity, OR A CONVICTION
21 OF EMBEZZLEMENT UNDER CHAPTER 31 OF THE MICHIGAN PENAL CODE, 1931
22 PA 328, MCL 750.174 TO 750.182A. The secretary of state shall
23 revoke the commission issued to a notary public upon presentation
24 to him or her of satisfactory evidence of the notarization of a
25 paper or document before completion by the person whose signature
26 is notarized. The secretary of state shall deposit fees

1 collected pursuant to this section in the state treasury to the
2 credit of the general fund.

3 (5) A notary public whose name has been changed pursuant to
4 law after the issuance of a commission shall continue to use the
5 name set forth in the commission for all purposes authorized
6 under the commission until the expiration of the commission.