



Senate Fiscal Agency
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BILL ANALYSIS



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Senate Bill 664 (Substitute S-2 as reported)
Senate Bill 996 (Substitute S-1 as reported)
Senate Bills 997, 998, and 999 (as reported without amendment)
Sponsor: Senator Peter MacGregor (S.B. 664, 997 & 998)
Senator Wayne Schmidt (S.B. 996)
Senator Curtis Hertel (S.B. 999)
Committee: Banking and Financial Institutions

CONTENT

Senate Bill 664 (S-2) would amend the Michigan Notary Public Act to do the following:

- Require the Secretary of State (SOS) and the Department of Technology, Management, and Budget (DTMB) to review and approve at least one electronic notarization system for the performance of electronic notarizations in the State.
- Require the SOS and the DTMB to review the criteria for approval of electronic notarization systems, and whether currently approved systems remained sufficient for the electronic performance of notarial acts, at least every four years
- Allow a notary public to select one or more tamper-evident electronic notarization systems to perform notarial acts electronically.
- Require a notary public to inform the SOS that he or she would be performing notarial acts electronically, and identify which electronic notarization system he or she intended to use.
- Require a person applying to be a notary public to include on his or her application, the person's e-mail address and any other information required by the SOS.

Senate Bill 996 (S-1) would add Section 25a to the Michigan Notary Public Act to specify that notarial acts performed in another state, under the authority or jurisdiction of a federally recognized Indian tribe or a foreign country, or under Federal law, would have the same effect under Michigan law as if performed by a notary public of Michigan, if they were performed by certain individuals. The bill also would rename the Act the "Michigan Law on Notarial Acts".

Senate Bill 997 would amend the Revised Judicature Act to delete a reference to the Uniform Recognition of Acknowledgements Act, and instead refer to Section 25a of the Michigan Law on Notarial Acts.

Senate Bill 998 would repeal the Uniform Recognition of Acknowledgments Act, which governs the recognition of acknowledgements and notarial acts performed outside the State.

Senate Bill 999 would amend the Uniform Real Property Electronic Recording Act to permit a county register of deeds to accept electronic documents for recording only from a person with which the register of deeds had entered into an agreement establishing a verified transactional relationship. The bill also would require the Electronic Recording Commission to adopt standards to address the acceptance and use of electronic notarization of documents submitted to a county register of deeds for recording.

MCL 55.263 et al. (S.B. 664)
55.261 et al (S.B. 996)
600.2102 (S.B. 997)
565.261-565.270 (S.B. 998)
565.844 & 565.845 (S.B. 999)

Legislative Analyst: Stephen Jackson

FISCAL IMPACT

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

Date Completed: 5-31-18

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