

**Department of Legislative Services**  
 Maryland General Assembly  
 2013 Session

**FISCAL AND POLICY NOTE**

Senate Bill 190 (Senators Shank and Simonaire)  
 Judicial Proceedings Health and Government Operations

**State Government - Notary Public - Appointment**

This bill authorizes a State senator to delegate, to the Secretary of State, the senator’s authority to approve applications for notary public commissions. If a senator delegates this authority (1) the application must bear, or be accompanied by, the written approval of the Secretary of State and (2) the Governor may appoint and commission the applicant as a notary public, as currently specified in statute, upon the approval of the Secretary of State.

**Fiscal Summary**

**State Effect:** General fund expenditures increase by \$24,800 in FY 2014. Future year expenditures reflect annualization and inflation. Revenues are not affected.

(in dollars)	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	24,800	29,300	30,700	32,200	33,700
Net Effect	(\$24,800)	(\$29,300)	(\$30,700)	(\$32,200)	(\$33,700)

*Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect*

**Local Effect:** None.

**Small Business Effect:** None.

**Analysis**

**Current Law:** All applications for notary public commissions must be approved by the State senator representing the senatorial district in which the applicant resides. If the senate seat for the district in which an applicant resides is vacant, any State senator may approve the application. The Secretary of State approves applications for notary public

commissions only from out-of-state applicants; such applications must also be approved by a State senator (representing any district). Once a notary public application is approved, the Governor appoints and commissions all notaries public.

**State Fiscal Effect:** The Secretary of State’s office processes almost 22,000 notary public commissions annually. Currently, the Secretary of State’s office merely processes applications for commissions that have already been approved by State senators representing the applicants. Under the bill, however, the Secretary of State’s office must review new applications on behalf of State senators who delegate their authority to ensure that applicants meet the qualifications for notaries public. This process includes confirming that applicants are residents of Maryland, verifying applicants’ references, and generally establishing that applicants are “of good moral character and integrity” as required by statute.

General fund expenditures increase by an estimated \$24,796 in fiscal 2014, which accounts for the bill’s October 1, 2013 effective date. This estimate reflects the cost of hiring one part-time (50%) administrative specialist to carry out the expanded duties for the Secretary of State’s office. It includes a salary, fringe benefits, one-time start-up costs, and ongoing operating expenses.

Administrative Specialist	0.5
Salary and Fringe Benefits	\$20,830
One-time Start-up Expenses	3,750
Ongoing Operating Expenses	<u>216</u>
<b>Total FY 2014 State Expenditures</b>	<b>\$24,796</b>

Future year expenditures reflect a full salary with annual increases and employee turnover as well as annual increases in ongoing operating expenses.

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### **Additional Information**

**Prior Introductions:** SB 169 of 2012 passed the Senate and received a hearing in the House Health and Government Operations Committee, but no further action was taken.

**Cross File:** HB 448 (Delegate Ready) – Health and Government Operations.

**Information Source(s):** Governor’s Office, Secretary of State, Department of Legislative Services

**Fiscal Note History:** First Reader - January 28, 2013  
ncs/lgc

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