

Act No. 116
Public Acts of 2000
Approved by the Governor
May 26, 2000
Filed with the Secretary of State
May 26, 2000
EFFECTIVE DATE: May 26, 2000

**STATE OF MICHIGAN
90TH LEGISLATURE
REGULAR SESSION OF 2000**

Introduced by Rep. Kowall

ENROLLED HOUSE BILL No. 4809

AN ACT 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:

Sec. 107. (1) The secretary of state may appoint 1 or more individuals notaries public in each county of this state, who shall hold their offices from the date of their appointment until their birthday occurring not less than 4 years or more than 5 years after the date of their appointment, unless sooner removed by the secretary of state.

(2) In order to receive an appointment, an individual shall be, at the time of application, at least 18 years of age, a resident of the county of which he or she desires to be appointed notary public, and a citizen of this state. In the case of a person who does not reside in the state of Michigan, an application for appointment as a notary public shall demonstrate that his or her principal place of business is located in the county in which he or she requests appointment and shall indicate that he or she is engaged in an activity in which he or she is likely to be required to perform notarial acts as that term is defined in section 2 of the uniform recognition of acknowledgments act, 1969 PA 57, MCL 565.262. A person who is serving a term of imprisonment in a state correctional facility or jail in this or any other state, or in a federal correctional facility, shall not be appointed as, or serve as, a notary public.

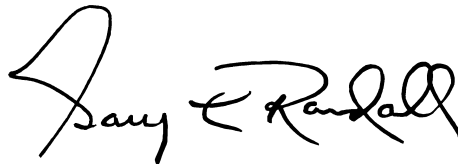
(3) The individual desiring to be appointed shall submit a written application on a form distributed by the county clerk of each county, stating the age of the applicant. The application shall be indorsed by a member of the legislature or a circuit or probate judge of the county, district, or circuit of which the applicant is a resident, and be presented to the secretary of state, accompanied by a fee of \$3.00. The application form shall not be indorsed in blank before completion and signature by the applicant.

(4) The secretary of state may revoke a commission issued to a notary public upon presentation to him or her of satisfactory evidence of official misconduct or incapacity. The secretary of state shall revoke the commission issued to a notary public upon presentation to him or her of satisfactory evidence of the notarization of a paper or document before completion by the person whose signature is notarized. If a person holding office as a notary public is sentenced to a term of imprisonment in a state correctional facility or jail in this or any other state, or in a federal correctional facility, that person's commission as a notary public is revoked automatically on the day on which the person begins serving the sentence in the jail or correctional facility.

(5) The secretary of state shall deposit fees collected pursuant to this section in the state treasury to the credit of the general fund.

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

This act is ordered to take immediate effect.



Clerk of the House of Representatives.



Secretary of the Senate.

Approved

Governor.