

**SUBSTITUTE FOR
SENATE BILL NO. 252**

A bill to amend 2003 PA 238, entitled
"Michigan notary public act,"
by amending section 49 (MCL 55.309).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 49. (1) Except as otherwise provided for in section 41(4)
2 or as provided by law, a person who violates this act is guilty of
3 **1 OF THE FOLLOWING:**

4 **(A) EXCEPT AS PROVIDED IN SUBDIVISION (B),** a misdemeanor
5 punishable by a fine of not more than \$5,000.00 or by imprisonment
6 for not more than 1 year, or both.

7 **(B) IF THE PERSON KNOWINGLY VIOLATES THIS ACT WHEN NOTARIZING**
8 **ANY DOCUMENT RELATING TO AN INTEREST IN REAL PROPERTY OR A MORTGAGE**
9 **TRANSACTION, A FELONY PUNISHABLE BY A FINE OF NOT MORE THAN**

1 \$5,000.00 OR BY IMPRISONMENT FOR NOT MORE THAN 4 YEARS, OR BOTH.

2 (2) An action concerning a fee charged for a notarial act
3 shall be filed in the district court in the place where the
4 notarial act occurred.

5 (3) The penalties and remedies under this act are cumulative.
6 The bringing of an action or prosecution under this act does not
7 bar an action or prosecution under any other applicable law.