

MICHIGAN LAW ON NOTARIAL ACTS (EXCERPT)
Act 238 of 2003

55.275 Application; format; fee; use of LEIN or ICHAT; certificate of appointment; electronic application and payment process.

Sec. 15. (1) An individual shall apply to the secretary for appointment as a notary public in a format as prescribed by the secretary. Unless the application is submitted electronically under subsection (5), an application for appointment as a notary public must include the handwritten signature of the applicant. An application must include all of the following information:

(a) The applicant's name, residence address, business address, date of birth, residence and business telephone numbers, and electronic mail address.

(b) The applicant's driver license or state personal identification card number.

(c) A validated copy of the filing of the bond, if applicable, and oath certificate received from the county clerk.

(d) If applicable, a statement showing whether the applicant has previously applied for an appointment as a notary public in this or any other state, the result of the application, and whether the applicant has ever been the holder of a notary public appointment that was revoked, suspended, or canceled in this or any other state.

(e) A statement describing the date and circumstances of any felony or misdemeanor conviction of the applicant during the preceding 10 years.

(f) A declaration that the applicant is a citizen of the United States or, if not a citizen of the United States, proof of the applicant's legal presence in this country.

(g) An affirmation by the applicant that the application is correct, that the applicant has read this act, and that the applicant will perform his or her notarial acts faithfully.

(h) Any other information required by the secretary.

(2) An application processing fee of \$10.00 must accompany an application or be paid electronically under subsection (5). The secretary shall deposit \$1.00 of each fee collected under this subsection into the notary education and training fund established in section 17 on a schedule determined by the secretary.

(3) When he or she receives an application and the prescribed processing fee, the secretary may inquire as to the qualifications of the applicant and shall determine whether the applicant meets the qualifications for appointment as a notary public under this act. To assist in deciding whether the applicant is qualified, the secretary may use the law enforcement information network as provided in the C.J.I.S. policy council act, 1974 PA 163, MCL 28.211 to 28.215, or the internet criminal history access tool (ICHAT) maintained by the department of state police, to check the criminal background of the applicant.

(4) After approval of an application for appointment as a notary public, the secretary shall mail directly to the applicant the certificate of appointment as a notary public. Each certificate of appointment shall identify the individual as a notary public of this state and shall specify the term and county of his or her commission.

(5) The secretary may develop and implement an electronic application and payment process for individuals who are seeking appointment as a notary public. Except as provided in this section, all of the requirements of this section apply to an application or payment made using this electronic process.

History: 2003, Act 238, Eff. Apr. 1, 2004;—Am. 2006, Act 426, Imd. Eff. Oct. 5, 2006;—Am. 2006, Act 510, Eff. Apr. 1, 2007;—Am. 2018, Act 330, Eff. Sept. 30, 2018;—Am. 2018, Act 360, Eff. Mar. 12, 2019.