

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

LR No.: 4066-01
Bill No.: SB 1113
Subject: Secretary of State: Notary Public
Type: Original
Date: March 5, 2004

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 4 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials of the **Office of Secretary of State** assume there would be no fiscal impact to their office, however, officials stated, should there be any technology required, the cost would be funded by the Secretary of State Technology Trust Fund, and not the General Revenue Fund.

Oversight assumes no local fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2005 (10 Mo.)	FY 2006	FY 2007
	\$0	\$0	\$0

<u>FISCAL IMPACT - Local Government</u>	FY 2005 (10 Mo.)	FY 2006	FY 2007
	\$0	\$0	\$0

FISCAL IMPACT - Small Business

Notary businesses or businesses which employ notaries public would be affected.

DESCRIPTION

This act modifies provisions relating to notaries public.

The act deletes the requirement that applicants for appointment and commission as a notary public must include their social security number on the application and that applicants must submit the names of two registered voters who endorse the application. Applicants cannot have been convicted of or pled guilty to any felony or to any misdemeanor incompatible with the duties of a notary public. The secretary of state is authorized to prohibit the issuance or renewal of an appointment for up to one year following rejection of the application or renewal request or following the failure to appear and qualify within 90 days after the commission is issued. Applicants are required to read the Missouri Notary Public Handbook and complete certain training. The surety bond to be maintained by the notary public must commence at least 90 days, rather than 30 days after the date of submission of the application. The act modifies what a notary public must keep in their journal.

Notary documents must use certain sized print and include the commission number of the notary public. The act provides deadlines for notaries to submit changes of address or name. Notaries must send changes of address or name within 30 days. If a notary resigns following the receipt of a complaint by the secretary of state, the secretary of state may deny future applications by such person. Notaries are authorized to charge a travel fee, provided certain conditions are met. The Secretary of State is empowered to administer the provisions of this act and perform all required duties, including immediate suspension of a notary upon written notice if the situation involves serious unlawful effect on the general public, provided the notary is afforded a hearing and adjudication as soon as practicable.

If a notary's seal is stolen, the notary must immediately notify the secretary of state in writing. Upon receipt of required documentation, a new commission number will be issued and the secretary of state may post notice on its web site indicating that the old number is no longer valid.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

LR No. 4066-01
Bill No. SB 1113
Page 4 of 4
March 5, 2004

SOURCES OF INFORMATION

Office of Secretary of State

NOT RESPONDING

None



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Director
March 5, 2004