

CONFIDENTIAL
LEGISLATIVE BILL REVIEW FORM: 2015

Bill Number: H.206 Name of Bill: Regulation of Notary Publics

Agency/Dept: DPS/VSP Author of Bill Lt. Brian Miller
Review: _____

Date of Bill Review: 02.18.15 Related Bills and Key Players: _____

Status of Bill: (check one)

☒ Upon Introduction ☐ As passed by 1st body ☐ As passed by both bodies

Recommended Position:

☐ Support ☒ Oppose ☐ Remain Neutral ☐ Support with modifications identified in # 8 below

Analysis of Bill

1. **Summary of bill and issue it addresses.** *The bill places all notaries under the office of professional regulation and lays out regulations required for licensure. There is a test for notaries and a fee every two years. Law enforcement is exempt from the fees but not the test. It also creates a director position in the secretary of state's office to administer this bill.*
2. **Is there a need for this bill?** There is a need for some regulation of notaries but this bill may be too broad in its effect on Law enforcement officers.
3. **What are likely to be the fiscal and programmatic implications of this bill for this Department?** The task of Law enforcement having to take an exam to be a notary does not seem to be necessary. There is also a requirement that notaries keep logs for 10 years for each time they notarize a document. This would be impractical for Law enforcement. Also the expiration of every two years is too frequent. It is currently 5 years. The prohibition of esignature will also be a problem.
4. **What might be the fiscal and programmatic implications of this bill for other departments in state government, and what is likely to be their perspective on it?** The secretary of state's office will need to hire the director and support all the applications state wide that now are done through county courts. This will increase their duties without funding.
5. **What might be the fiscal and programmatic implications of this bill for others, and what is likely to be their perspective on it?** Most people will agree that the requirements in this statute are extreme and not practical for most Vermonters.
6. **Other Stakeholders:**
 - 6.1 **Who else is likely to support the proposal and why?** Those who want to limit the number of notaries in the state.

6.2 Who else is likely to oppose the proposal and why? All public entities who have notaries in their employ will not want to pay bi annual fees.

7. Rationale for recommendation: This bill will cause unneeded regulations be added to Law enforcement who must be notaries. The 2 year expiration is too short and a test to become a notary is not needed for Law enforcement. Maintaining log for 10 years is also not practical.

8. Specific modifications that would be needed to recommend support of this bill: *Law Enforcement should be exempt from this bill as it refers to the test to become a notary, the expiration of every two years. There is also a problem with the electronic portion of the bill as etickets will require electronic signatures by notaries and other officers.*

9. Gubernatorial appointments to board or commission?

Secretary/Commissioner has reviewed this document



Date: 03/11/15