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Judicial Proceedings Committee

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February 9, 2022

The Senate Judicial Proceedings Committee

The Honorable William C. Smith, Jr.

2 East Miller Senate Office Building

Annapolis, Maryland 21401

Re: SB 317 – State Government – Notarial Acts – Fees and Use of Communication Technology

Dear Chairman Smith and members of the Committee,

Senate Bill 317 was introduced last year as Senate Bill 735, which passed the Senate. It will allow a notary public located in the State of Maryland to use communication technology to take an acknowledgment of a signature on a tangible record that is physically present before the notary if the record is displayed to and identified by the remotely located individual during the audio-visual recording. The bill also increases the maximum fee the Secretary of State may establish for an original notarial act from \$4 to \$25. Under current law, the Secretary of State is responsible for regulating and establishing fees for original notarial acts which cannot exceed \$4.

The bill specifies that a notary public located in the State may use communication technology to administer an oath or affirmation to a remotely located individual so long as the notary public identifies the individual, creates an audio-visual recording of the individual taking the oath, and retains said audio-visual recording.

Finally, it should be noted that this bill will benefit small businesses that provide notary services by allowing them to increase their fees.

I appreciate the Committee's consideration of Senate Bill 317 and will be more than happy to answer any follow-up questions the Committee may have.