

NY Senate 1505

Notary Law Update: NY Senate 1505

State: New York

Summary:

Senate 1505 modifies the qualifications for a Notary commission related to a prior conviction of a crime; the bill also raises the fee for a criminal history check Notary Signing Agents must undergo in order to receive loan signing assignments.

Signed: April 12, 2019

Effective: April 12, 2019

Chapter: 55

Affects:

Amends County Law Section 14 and Executive Law Section 130.

Changes:

1. Clarifies that no person shall be appointed as a Notary who has been convicted, in New York or any other state or territory of a crime, unless the Secretary of State makes a finding in conformance with all applicable statutory requirements, including those contained in Article 23-A of the Correction Law, that such convictions do not constitute a bar to appointment.
2. Removes from the statute the list of specific disqualifying offenses for a Notary Public commission.
3. Raises the fee for a criminal history search from \$65 to \$95.

Analysis:

Senate 1505 is a massive budget bill that contained two specific provisions related to and affecting Notaries Public. The first is a change to Executive Law Section 130 which lists the qualifications for a Notary commission. The effect of the new law is that it removes a lengthy list of disqualifying crimes that would bar an individual from applying and receiving a Notary commission, and replaces

it with the simpler provision barring an individual from receiving a commission if he or she has committed a crime, unless the Secretary of State finds that the conviction does not constitute a bar to appointment. This gives the Secretary latitude in determining whether the nature of the crime truly disqualifies one to be appointed as a Notary.

Senate 1505 also raises the fee that the office of court administration must charge for a criminal history search from \$65 to \$95. Notary Signing Agents are required by contracting companies to pass an annual background screening in order to qualify to receive appointments for loan signings. Technically, the county office of court administration charges this fee, not the individual background screening service provider.

Read the bill text.