

MICHIGAN NOTARY PUBLIC ACT (EXCERPT)
Act 238 of 2003

55.263 Definitions; A to I.

Sec. 3. As used in this act:

(a) "Acknowledgment" means the confirmation by a person in the presence of a notary public that he or she is placing or has placed his or her signature on a record for the purposes stated in the record and, if the record is signed in a representative capacity, that he or she is placing or has placed his or her signature on the record with the proper authority and in the capacity of the person represented and identified in the record.

(b) "Cancellation" means the nullification of a notary public commission due to an error or defect or because the notary public is no longer entitled to the commission.

(c) "Department" means the department of state.

(d) "Electronic" means that term as defined in the uniform electronic transactions act, 2000 PA 305, MCL 450.831 to 450.849.

(e) "Electronic signature in global and national commerce act" means Public Law 106-229, 114 Stat. 464.

(f) "Information" means that term as defined in the electronic signature in global and national commerce act.

(g) "In a representative capacity" means any of the following:

(i) For and on behalf of a corporation, partnership, trust, association, or other legal entity as an authorized officer, agent, partner, trustee, or other representative of the entity.

(ii) As a public officer, personal representative, guardian, or other representative in the capacity recited in the document.

(iii) As an attorney in fact for a principal.

(iv) In any other capacity as an authorized representative of another person.

(h) "In the presence of" means in compliance with section 101(g) of title I of the electronic signature in global and national commerce act, 15 USC 7001.

History: 2003, Act 238, Eff. Apr. 1, 2004.