

Senate Fiscal Agency  
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**SFA**



BILL ANALYSIS

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House Bills 4142 and 4143 (as passed by the House)  
Sponsor: Representative Ilona Varga  
House Committee: Regulatory Affairs  
Senate Committee: Economic Development, International Trade and Regulatory Affairs

Date Completed: 3-14-97

## **CONTENT**

**House Bill 4142** would amend Chapter 14 of the Revised Statutes of 1846 to allow a notary public to sign a document for a physically disabled person. **House Bill 4143** would amend the Uniform Recognition of Acknowledgments Act to specify what would be considered “satisfactory evidence” of the identification of a person seeking acknowledgment of a document by a notary. House Bill 4142 is tie-barred to House Bill 4143. Following is a detailed description of each bill.

### **House Bill 4142**

The bill would allow a notary public to sign the name of a person whose physical characteristics limited his or her capacity to sign or make a mark on a document presented for notarization if all of the following circumstances existed:

- The notary public was directed to do so by that person--whether orally, verbally, or through electronic or mechanical means provided by the person.
- The person was in the physical presence of the notary public.
- The notary public inscribed “signature affixed pursuant to Section 55.113(2) of the Michigan Compiled Laws” beneath the signature. (Section 55.113(2) is a section of the Act that the bill would amend.)

Currently, the Act specifies that for his or her services a notary public is to receive such fees as are provided by law. The bill specifies, instead, that a notary public could receive a service fee of not more than \$2 per acknowledgment or jurat.

### **House Bill 4143**

The bill would define “satisfactory evidence” as evidence upon which reliance was placed upon either the sworn word of a credible witness who was personally known to the notary public and who personally knew the signer, or a current identification card or document issued by a Federal or State government that contained the bearer’s photograph and signature.

(The Act requires a person taking an acknowledgment to certify that the person acknowledging appeared before him or her and acknowledged that he or she executed the instrument and that the person acknowledging was known to the person taking the acknowledgment, or that the person taking the acknowledgment had satisfactory evidence that the person acknowledging was the person described in and who executed the instrument.)

MCL 55.113 et al.(H.B. 4142)

Legislative Analyst: G. Towne

565.262 (H.B. 4143)

**FISCAL IMPACT**

The bills would have no fiscal impact on State or local government.

Fiscal Analyst: R. Ross

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.