

## Department of Planning and Budget

### 2007 Fiscal Impact Statement

**1. Bill Number** HB2058

**House of Origin**    ☒ Introduced    ☐ Substitute    ☐ Engrossed  
**Second House**    ☐ In Committee    ☐ Substitute    ☐ Enrolled

**2. Patron**        McQuigg

**3. Committee**   Courts of Justice

**4. Title**            Notaries public.

**5. Summary/Purpose:** This revised fiscal impact statement corrects the annual nongeneral fund revenue and expenditures.

The bill rewrites the notary law to include electronic notarization and details the application and technology requirements for electronic notarization. These particular provisions become effective July 1, 2008. In addition, the bill adds that any notary must be a Virginia registered voter, but provisions are retained for certain nonresident employee notaries. A list of prohibited acts for notaries is included (e.g., use of official seal to promote or oppose products, candidates, etc.; use of signature or seal on incomplete documents; committing fraud under the guise of an official act) that subject the notary to suspension, removal, or reprimand as under current law.

In addition, the bill codifies the fee of \$35 for commissioning an electronic notary as set in Item 53 of the current appropriation act.

Finally, the bill provides for a \$10 electronic notarization fee which will go to the Secretary of the Commonwealth's Technology Trust Fund.

**6. Fiscal Impact Estimates are:** Preliminary

**6a. Expenditure Impact:**

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2007-08	\$304,740		Special
2008-09	\$304,740		Special
2009-10	\$304,740		Special
2010-11	\$304,740		Special
2011-12	\$304,740		Special
2012-13	\$304,740		Special

**6b. Revenue Impact:**

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2007-08	\$304,740		Special
2008-09	\$304,740		Special
2009-10	\$304,740		Special

2010-11	\$304,740	Special
2011-12	\$304,740	Special
2012-13	\$304,740	Special

- 7. Budget amendment necessary:** Yes, to appropriate the increase in nongeneral fund revenue and expenditures in Item 53 of the current appropriation act.
- 8. Fiscal implications:** Working from calendar year 2006 records, the Secretary of the Commonwealth's office (SOC) estimates that 30,474 notary commissions are taken each year. With this bill, the SOC will charge an additional \$10 for electronic notarization. The \$10 electronic notarization fee will go to the SOC's Technology Trust Fund, resulting in an estimated revenue to the Fund of \$304,740 each year. This revenue will be used by the SOC to fund the technology necessary to supervise and regulate electronic notary activities; however, the exact annual cost is not know at this time.
- 9. Specific agency or political subdivisions affected:** Secretary of the Commonwealth
- 10. Technical amendment necessary:** No
- 11. Other comments:** None.

**Date:** 01/19/07 / wfb

**Document:** G:\BOS Stuff\2007 Session\2007 Legislation\HB2058.Doc  
cc: Secretary of the Commonwealth