

Department of Planning and Budget

2019 Fiscal Impact Statement

1. Bill Number: SB1782

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

2. Patron: Obenshain

3. Committee: Courts of Justice

4. Title: Notaries; qualifications.

5. Summary: The bill changes one of the qualifications for a notary appointment. Current law allows an appointment if the applicant has been convicted of a felony offense, as long as he has been pardoned for that felony, has had his conviction vacated by the granting of a writ of actual innocence, or has had his rights restored by the Governor. The substitute bill removes those exceptions and replaces them with restrictions of an appointment if the applicant has been convicted of a felony offense of (a) fraud or misrepresentation or (b) robbery, extortion, burglary, larceny, embezzlement, fraudulent conversion, perjury, bribery, treason, or racketeering, regardless of whether his civil rights have been restored by the Governor. In summary, current law provides exception criteria, whereas the substitute bill provides specific offenses for exclusion. The substitute bill states that the offenses for exclusion will stand regardless of whether the applicant's rights have been restored by the Governor.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: None.

8. Fiscal Implications: The bill presents no fiscal impact to the Commonwealth.

9. Specific Agency or Political Subdivisions Affected: Secretary of the Commonwealth.

10. Technical Amendment Necessary: No.

11. Other Comments: None.