

SECOND REGULAR SESSION

HOUSE BILL NO. 1755

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HANNEGAN.

3440H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 486.350, RSMo, and to enact in lieu thereof two new sections relating to notaries public, with penalty provisions.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 486.350, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 486.350 and 486.351, to read as follows:

486.350. 1. The maximum fee in this state for notarization of each signature and the proper recording thereof in the journal of notarial acts is ~~two~~ **five** dollars for each signature notarized **but shall not exceed a total of ten dollars per document.**

2. The maximum fee in this state for certification of a facsimile of a document~~;~~ and the proper recordation thereof in the journal of notarial acts is ~~two~~ **five** dollars for each 8 ½ x 11 inch page retained in the notary's file **but shall not exceed a total of ten dollars per document.**

3. The maximum fee in this state is ~~one dollar~~ **five dollars** for any other notarial act performed.

4. ~~No notary shall charge or collect a fee for notarizing the signature on any absentee ballot or absentee voter registration.~~

5. ~~A notary public who charges more than the maximum fee specified or who charges or collects a fee for notarizing the signature on any absentee ballot or absentee voter registration is guilty of official misconduct.~~

6.] A notary public may charge a travel fee, not to exceed the approved federal mileage rate and may charge an expedited convenience service fee not to exceed twenty-five dollars~~;~~ when traveling to perform a notarial act, provided that:

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 (1) The notary explains to the person requesting the notarial act that the travel fee is
18 separate from the notarial fee and is not specified or mandated by law; and

19 (2) The notary and the person requesting the notarial act agree upon his or her fees in
20 advance of the notary affixing his or her official seal.

21 **5. A notary may charge an amount less than the maximum fee under this section**
22 **and may waive any fees.**

23 **6. Under section 23.253 of the Missouri sunset act:**

24 (1) **The provisions of this section shall automatically sunset on December thirty-**
25 **first five years after the effective date of this section unless reauthorized by an act of the**
26 **general assembly;**

27 (2) **If reauthorized, the provisions authorized under this section shall automatically**
28 **sunset on December thirty-first ten years after the effective date of the reauthorization of**
29 **this section; and**

30 (3) **This section shall terminate on September first of the calendar year immediately**
31 **following the calendar year in which the program authorized under this section is sunset.**

486.351. 1. No notary shall charge or collect a fee for notarizing the signature on
2 **any absentee ballot or absentee voter registration.**

3 **2. A notary public who charges more than the maximum fee specified under section**
4 **486.350 or who charges or collects a fee for notarizing the signature on any absentee ballot**
5 **or absentee voter registration is guilty of official misconduct.**

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