

GENERAL REVISOR'S NOTE: Former Art. 69, § 5 is deleted as unnecessary as the sufficiency of the mandamus proceeding required by § 17-104(b) of this title is implicit in that section.

TITLE 18. NOTARIES PUBLIC.

18-101. APPOINTMENT AND COMMISSION.

(A) RESIDENTS OF STATE.

THE GOVERNOR, ON APPROVAL OF THE APPLICATION BY A SENATOR REPRESENTING THE SENATORIAL DISTRICT AND SUBDISTRICT IN WHICH THE APPLICANT RESIDES, MAY APPOINT AND COMMISSION ~~INDIVIDUAL'S~~ INDIVIDUALS AS NOTARIES PUBLIC AS PROVIDED IN THIS TITLE.

(B) OUT-OF-STATE INDIVIDUALS.

(1) THE GOVERNOR, ON APPROVAL OF THE APPLICATION BY THE SECRETARY OF STATE AND A MEMBER OF THE SENATE OF MARYLAND, SHALL APPOINT AND COMMISSION OUT-OF-STATE INDIVIDUALS AS NOTARIES PUBLIC AS PROVIDED IN THIS ARTICLE.

(2) AN OUT-OF-STATE NOTARY SHALL BE DEEMED TO HAVE IRREVOCABLY APPOINTED THE SECRETARY OF STATE AS THE NOTARY'S AGENT UPON WHOM MAY BE SERVED ANY SUMMONS, SUBPOENA, SUBPOENA DUCES TECUM, OR OTHER PROCESS.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 68, § 1(a) and (b)(2).

In subsection (a) of this section, the reference to "individuals" is substituted for the former reference to "persons" because only an individual and not other entities that may be included in the term "person" under Art. 1, § 15 of the Code, may serve as a notary public.

Also in subsection (a) of this section, the phrase "in this title" is substituted for the former word "herein" for clarity.

18-102. QUALIFICATIONS.

EACH INDIVIDUAL APPOINTED AS A NOTARY PUBLIC SHALL:

- (1) BE AT LEAST 18 YEARS OLD;
- (2) BE OF GOOD MORAL CHARACTER AND INTEGRITY;
- (3) LIVE OR WORK IN THE STATE; AND
- (4) IF LIVING IN THE STATE, BE A RESIDENT OF THE SENATORIAL DISTRICT FROM WHICH APPOINTED.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 68, § 1(b)(1).