

Title 15 ELECTED OFFICIALS
Division 30 Secretary of State
Chapter 100 [Secretary of State -] Notary Commissions

EMERGENCY AMENDMENT

15 CSR 30-100.015 Request for Hearing on Suspension or an Appeal on a Denial of an Application. The secretary is amending the rule to add denial of an application to the reasons one can request a hearing.

PURPOSE: This proposed amendment adds a subsection (5) to add denial of an application to appeals.

EMERGENCY STATEMENT: The Secretary of State determined that this emergency rule is necessary to preserve a compelling government interest. This emergency rule is necessary to address changes made by the legislatures, which takes effect on August 28, 2020, to electronic notarization. The Secretary of State needs this emergency rule since the Executive Order issued by the Governor expired on August 28, 2020. The Secretary of State finds there is a compelling government interest, which requires this emergency action since due to the pandemic of COVID-19 in person notarization is unable to be performed for wills, powers of attorney and durable power of attorney in health care decisions.

A proposed rule, which covers the same material, is published in this issue of the Missouri Register. The scope of this emergency rule is limited to the circumstances creating the emergency and complies with the protections extended in the Missouri and United States Constitutions. The Secretary of State believes this emergency rule is fair to all interested persons and parties under the circumstances. This emergency rule was filed August 31, 2020, becomes effective September 10, 2020, and expires March 10, 2021.

(5) An applicant who has been denied a notary commission may appeal the denial to the Director of Business Services or his or her designee. This appeal does not include a right to a hearing.

*AUTHORITY: section 486.385.2, RSMo 2016. * Original rule filed Dec. 16, 1985, effective April 11, 1986. Amended; Filed April 17, 2017, effective Oct. 2017.*

**Original Authority: 486.385, RSMo 1977, amended 2004.*

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Office of Secretary of State, P.O. Box 1767, Jefferson City,

*MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*