

SENATE JUDICIARY COMMITTEE
Senator Thomas Umberg, Chair
2025-2026 Regular Session

AB 1597 (Castillo)
Version: January 16, 2026
Hearing Date: June 9, 2026
Fiscal: No
Urgency: No
AM

SUBJECT

Notary public: service fees

DIGEST

This bill increases the maximum amount notary publics can charge for certain services by \$5.

EXECUTIVE SUMMARY

Under existing law, there is a statutory cap on the fees that a notary public may charge for certain services provided. For example, under current law a notary public may charge up to \$15 for each signature taken for an acknowledgement or proof of a deed. The last time the cap on these fees was increased was in 2017. (AB 2217 (Hadley, Ch. 133, Stats. 2016.)) This bill raises the maximum amount notary publics can charge for these services by \$5. The bill is sponsored by the California League of Independent Notaries and supported by the National Notary Association, UPS, and numerous individual notaries and other individuals. The Committee received no timely opposition.

PROPOSED CHANGES TO THE LAW

Existing law:

- 1) Authorizes the Secretary of State to appoint and commission notaries public who have met education, examination, and ethical requirements as specified. (Gov. Code §§ 8200-8201.5.)
 - a) []
- 2) Provides that fees charged by a notary public for the following services cannot exceed the following amounts:

- a) \$15 for each signature taken for taking an acknowledgment or proof of a deed, or other instrument, to include the seal and the writing of the certificate, ten dollars (\$10) for each signature taken;
- b) \$15 for administering an oath or affirmation to one person and executing the jurat, including the seal;
- c) \$30 for providing all services rendered in connection with taking a deposition, and in addition thereto, \$7 for administering the oath to the witness and \$7 for the certificate to the deposition; and
- d) \$15 for certifying a copy of a power of attorney under Section 4307 of the Probate Code. (Gov. Code § 8211.)

This bill increases all the fees described in 2), above, by \$5.

COMMENTS

1. Stated need for the bill

The author writes:

AB 1597 modernizes California's notary public fee schedule in an effort to preserve public access to essential notarial services. Notaries act as guardians of trust and serve as California's frontline safeguard against fraud and abuse in critical transactions involving housing, healthcare, estate planning, business, education, and legal affairs.

Current law caps many core notarial acts at \$15. That cap has remained unchanged since January 1, 2017, even though the cost of living and the costs of providing service have increased more than 30%. (See U.S. Dept. of Labor, Bureau of Labor Statistics Inflation Calculator https://www.bls.gov/data/inflation_calculator.htm [as of April 30, 2026]). As a result, the existing fee structure no longer reflects the economic realities of providing notarial services in California.

AB 1597 raises certain maximum statutory fees from \$15 to \$20 and makes corresponding updates to deposition-related fees. The bill does not require any notary to charge more, nor does it eliminate consumer choice. It simply updates the statutory ceiling so commissioned notaries may recover a more realistic portion of the costs of serving the public.

This bill is fundamentally about access. Since the last fee adjustment, California has lost more than 22,000 active notaries public, reducing service availability in rural, low-income, high-travel, and mobility-limited communities. Seniors, individuals with disabilities, wildfire survivors, hospital patients, and residents without reliable transportation often depend on mobile and independent notaries to complete time-sensitive documents.

Without a sustainable fee framework, California risks further contraction of the notary workforce. That contraction will harm consumers, delay critical transactions, and weaken the practical infrastructure that helps Californians safely execute important legal and financial documents.

AB 1597 provides a modest, targeted, and market-sensitive update. It maintains existing consumer protections, preserves no-fee notarizations where required by law, and helps ensure that notarial services remain available throughout the state.

2. Notary public statutory fee caps

A notary public is a public officer appointed and commissioned by the Secretary of State to serve the public in non-contentious matters generally concerning estates, deeds, powers-of-attorney, foreign and international business, and other written instruments. Occasionally, an individual who is party to a more sensitive formal agreement, such as a child custody agreement, a confidential marriage license, or an advance healthcare directive, must have the agreement notarized before it can enter into force. A notary's main functions are to take acknowledgements of various written instruments, administer oaths and affirmations, take depositions and affidavits, certify copies of powers of attorney under the Probate Code, demand acceptance and payment of foreign and inland bills of exchange or promissory notes, and to protest nonpayment and nonacceptance of bills and notes. (Gov. Code § 8205.) The maximum amount a notary public can charge for certain services is set by statute. (Gov. Code § 8211.) These amounts have not increased since 2017. (AB 2217 (Hadley, Ch. 133, Stats. 2016).) The sponsor of the bill, the California League of Independent Notaries, states that "the cost of living in California has increased by more than 30 percent" since 2017 yet "notarial fee limits have remained static." They note that California has "experienced a decline of more than 22,000 active notaries public" in recent years and that the modest increase in fees will help stabilize the notary workforce while preserving consumer choice.

3. Statements in support

The California League of Independent Notaries, the sponsor of the bill, writes in support stating:

AB 1597 provides a measured modernization of the statutory notary fee caps set forth in Government Code 8211, which have remained unchanged since January 1, 2017. During that time, the cost of living in California has increased by more than 30 percent, while notarial fee limits have remained static.

Notaries serve as frontline safeguards against fraud and abuse, performing legally required acts that underpin real estate transactions, powers of attorney, advance health care directives, court filings, business agreements, and numerous other

essential legal transactions. When notarial services are unavailable or inaccessible, Californians experience delays in exercising basic legal and economic rights. [...] In recent years, California has experienced a decline of more than 22,000 active notaries public. This contraction in the notary workforce has materially restricted service availability, particularly in rural communities, geographically dispersed regions, and areas requiring significant travel. [...]

California is not alone in confronting this issue. Numerous states have modernized their fee structures in recent years in response to similar economic conditions, including Virginia (2024), Washington (2024), Texas (2023), Colorado (2023), Maryland (2024), and South Dakota (2025). AB 1597 aligns California with a broader national trend toward ensuring that notarial compensation reflects contemporary service delivery realities. [...]

SUPPORT

California League of Independent Notaries (sponsor)
National Notary Association
UPS
Over 1,900 individuals

OPPOSITION

None received

RELATED LEGISLATION

Pending Legislation: None known.

Prior Legislation:

AB 2217 (Hadley, Ch. 133, Stats. 2016) raised the statutory fee cap for specified notary services between 25% and 50%.

AB 1408 (Hadley 2015) would have removed the statutory fee cap for specified notary services. This bill died in the Assembly Committee on Judiciary.

PRIOR VOTES

Assembly Floor (Ayes 75, Noes 0)
Assembly Judiciary Committee (Ayes 12, Noes 0)
