358.70 GROUNDS TO DENY, REFUSE TO RENEW, REVOKE, SUSPEND, OR CONDITION COMMISSION OF NOTARY PUBLIC.

Subdivision 1. **Generally.** The commissioner of commerce has all the powers provided by section 45.027 and may proceed in the manner provided by that section in actions against a notary public for any act or omission that demonstrates an individual lacks the honesty, integrity, competence, or reliability to act as a notary public, including:

(1) failure to comply with sections 358.51 to 358.76;

(2) fraudulent, dishonest, or deceitful misstatement or omission in the application for a commission as a notary public submitted to the commissioning officer or agency;

(3) a conviction of the applicant or notary public of any felony or a crime involving fraud, dishonesty, or deceit;

(4) a finding against, or admission of liability by, the applicant or notary public in any legal proceeding or disciplinary action based on the applicant's or notary public's fraud, dishonesty, or deceit;

(5) failure by the notary public to discharge any duty required of a notarial officer, whether by sections 358.51 to 358.76 or any federal or state law or regulation;

(6) use of false or misleading advertising or representation by the notary public representing that the notary has a duty, right, or privilege that the notary does not have;

(7) denial, refusal to renew, revocation, suspension, or conditioning of a notary public commission in another state; or

(8) suspension or revocation of a license for the conduct of a profession, occupation, trade, or business of a notary public who is performing notarial acts in connection with the profession, occupation, trade, or business.

For purposes of this clause, "license" means a permit, registration, certification, or other form of approval authorized by statute or rule issued by the state or a political subdivision of the state as a condition of doing business, or conducting a trade, profession, or occupation in Minnesota.

Subd. 2. **Removal from office.** A notary may be removed from office only by the governor, the district court, or the commissioner of commerce.

Subd. 3. **Notice and hearing.** If the commissioner of commerce denies, refuses to renew, revokes, suspends, or imposes conditions on a commission as a notary public, the applicant or notary public is entitled to timely notice and hearing in accordance with chapter 14.

Subd. 4. **Other remedies.** The authority of the commissioner of commerce to deny, refuse to renew, suspend, revoke, or impose conditions on a commission as a notary public does not prevent a person from seeking and obtaining other criminal or civil remedies provided by law.

Subd. 5. **Surrender of stamp.** Notwithstanding section 359.03, subdivision 1, upon removal from office by the commissioner of commerce, a notary public shall deliver the notary's official stamp to the commissioner of commerce.

History: *2018 c 176 art 1 s 22*