

PROFESSIONAL PHOTOCOPIER REGISTRATION INFORMATION
(CALIFORNIA BUSINESS AND PROFESSIONS CODE § 22450 - 22463)

PLEASE NOTE: YOU CANNOT REGISTER AS A PROFESSIONAL PHOTOCOPIER IF YOU, ANY GENERAL PARTNER, CORPORATE OFFICER, OR LIMITED LIABILITY COMPANY OFFICER / MANAGER HAS A FELONY CONVICTION.

To register as a PROFESSIONAL PHOTOCOPIER in Santa Clara County, please complete and provide the following (*if renewing, see additional information below*):

1. REGISTRATION FORM:

A completed registration form for a NATURAL PERSON (individual), PARTNERSHIP, or CORPORATION must be signed in our presence. California Business and Professions Code section 22452 requires the registrant complete a statement, signed by the registrant under penalty of perjury, stating that the registrant has not been convicted of a felony; or, if the registrant has been convicted of a felony, (provide) a copy of a certificate of rehabilitation, expungement, or pardon; a statement that the registrant has been a resident of this state for a period of one year immediately preceding the filing of the certificate; and a statement that the registrant will perform his or her duties as a professional photocopier in compliance with the provisions of law governing the transmittal of confidential documentary information in this state.

2. NOTARY PUBLIC REQUIREMENT:

At least one person involved in the management of a professional photocopier shall be required to hold a current commission from the Secretary of State as a notary public in this state.

3. BOND:

A professional photocopier bond in the amount of \$5000.00, covering the two-year term of registration must be submitted at the time of filing. **The bond must specify the term (dates) of coverage.** The effective date of the bond must match the date of registration, *so plan accordingly*. The bond must be in the name of the NATURAL PERSON (individual), or in the case of a PARTNERSHIP, in the names of the NATURAL PERSONS and the PARTNERSHIP, and if a CORPORATION, in the name of the CORPORATION.

4. FEES:

The base fee for a professional photocopier registration is **\$207.00**. This includes the recording fee one-page process server bond. If your bond has additional pages, **each** additional page (including a cover page, if needed) will add **\$3.00** to the fee total. Fees can be paid in cash, check made payable to the Clerk-Recorder's Office, and by ATM card. A PIN number and an additional fee of \$2.50 is required for payment by ATM card.

The fee for additional professional photocopier cards issued under the same registration number is **\$10.00 each**. A copy of the photocopier's California driver's license, and our professional photocopier identification card, **both** signed by the photocopier, is required for each card issued.

If the registrant is also a registered process server with Santa Clara County, the base fee for a professional photocopier registration is **\$122.00**. The additional bond page and identification card fees still apply.

RENEWAL INFORMATION

A certificate of registration is effective for a period of two years or until the date the bond expires, whichever occurs first. The renewal can take place up to 60 days prior to its expiration date and the effective date of the renewal will be the date the current registration expires. **As long as the renewal takes place on or before the expiration date, the registration number will remain the same.** All of the above (#1, 2, 3, and 4) applies for a renewal.

SANTA CLARA COUNTY CLERK-RECORDERS OFFICE

Business Division, First Floor, East Wing

70 West Hedding Street

San Jose, CA 95110

408-299-5688 Hours for Professional Photocopier Registration: 8:00 a.m. – 4:00 p.m., M-F

**EXCERPTS FROM CALIFORNIA BUSINESS AND PROFESSIONS CODE
REGARDING PROFESSIONAL PHOTOCOPIER REGISTRATION
SECTION 22450-22463**

22450. A professional photocopier is any person who for compensation obtains or reproduces documents authorized to be produced under Part 2.6 (commencing with Section 56) of Division 1 of, or Chapter 1 (commencing with Section 1798) of Title 1.8 of Part 4 of Division 3 of, the Civil Code, or Section 1158 of, or Article 4 (commencing with Section 1560) of Chapter 2 of Division 11 of, the Evidence Code and who, while engaged in performing that activity, has access to the information contained therein. A professional photocopier shall be registered pursuant to this chapter by the county clerk of the county in which he or she resides or has his or her principal place of business, and in which he or she maintains a branch office.

22452. (a) The application for registration of a natural person shall contain all of the following statements about the applicant:

(1) Name, age, address, and telephone number.

(2) He or she has not been convicted of a felony.

(3) He or she will perform his or her duties as a professional photocopier in compliance with the provisions of law governing the transmittal of confidential documentary information in this state.

(b) The application for registration of a partnership or corporation shall contain all of the following statements about the applicant:

(1) The names, ages, addresses, and telephone numbers of the general partners or officers.

(2) The general partners or officers have not been convicted of a felony.

(3) The partnership or corporation will perform its duties as a professional photocopier in compliance with the provisions of law governing the transmittal of confidential documentary information in this state.

22454. At least one person involved in the management of a professional photocopier shall be required to hold a current commission from the Secretary of State as a notary public in this state.

22455. (a) A certificate of registration shall be accompanied by a bond of five thousand dollars (\$5,000) which is executed by a corporate surety qualified to do business in this state and conditioned upon compliance with the provisions of this chapter and all laws governing the transmittal of confidential documentary information under the code sections specified in Section 22450. The total aggregate liability on the bond shall be limited to five thousand dollars (\$5,000). The bond may be terminated pursuant to the provisions of Section 995.440 and Article 13 (commencing with Section 996.310) of Chapter 2 of Title 14 of Part 2 of the Code of Civil Procedure.

(1) The county clerk shall, upon filing the bond, deliver the bond forthwith to the county recorder for recording. The recording fee specified in Section 27361 of the Government Code shall be paid by the registered professional photocopier. The fee may be paid to the county clerk, who shall transmit it to the recorder.

(3) The county recorder shall record the bond and any notice of cancellation, revocation, or withdrawal of the bond, and shall thereafter mail the instrument, unless specified to the contrary, to the person named in the instrument and, if no person is named, to the party leaving it for recording. The recording fee specified in Section 27361 of the Government Code for the notice of cancellation, revocation, or withdrawal of the bond shall be paid to the county clerk, who shall transmit it to the county recorder.

(b) In lieu of the bond required by subdivision (a), a registrant may deposit five thousand dollars (\$5,000) in cash with the county clerk.

(c) If the certificate is revoked, the bond or cash deposit shall be returned to the bonding party or depositor subject to the provisions of subdivision (d) and the right of a person to recover against the bond or cash deposit under Section 22459.

(d) The county clerk may retain a cash deposit until the expiration of three years from the date the registrant has ceased to do business, or three years from the expiration or revocation date of the registration, in order to ensure there are no outstanding claims against the deposit. A judge of a superior court may order the return of the deposit prior to the expiration of three years upon evidence satisfactory to the judge that there are no outstanding claims against the deposit.

22456. A certificate of registration shall be effective for a period of two years or until the date the bond expires, whichever occurs first. Thereafter, a registrant shall file a new certificate of registration or a renewal of the certificate of registration and pay the fee required by Section 22453. A certificate of registration may be renewed up to 60 days prior to its expiration date and the effective date of the renewal shall be the date the current registration expires. The renewal shall be effective for a period of two years from the effective date or until the expiration date of the bond, whichever occurs first.

22457. (a) The county clerk shall maintain a register of professional photocopiers, assign a number to each professional photocopier, and issue an identification card to each one. Additional cards for employees of professional photocopiers shall be issued upon the payment of ten dollars (\$10) for each card. Upon renewal of registration, the same number shall be assigned, provided there is no lapse in the period of registration.

22460. The county clerk shall revoke the registration of a professional photocopier upon receipt of a court document or record stating that the registrant has been found guilty of a misdemeanor violation of this chapter, or that a civil judgment has been entered against the registrant in an action arising out of an improper disclosure or transmittal of confidential information. The county clerk shall be given notice of such court actions. A registrant whose registration is revoked pursuant to this subdivision may reapply for registration after one year.

22460.5. A certificate of registration may be revoked or suspended whenever it has been determined that the registrant has transmitted or distributed records obtained under the applicable sections in a manner which does not comply with the provisions of law governing the transmittal of confidential documentary information under the code sections specified in Section 22450, or which constitutes an improper transmittal or distribution not amounting to a violation of law.

22463. A failure to comply with the requirements of this chapter shall be punishable as a misdemeanor.