

BILL ANALYSIS

H.B. 3416
By: Marchant
State Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The Texas Government Code currently requires an applicant for the position of notary public to execute the "Statement of Officer" required by the Texas Constitution before a notary public or other person authorized to administer oaths. However, the Texas Constitution itself does not require the statement to be subscribed before a person authorized to administer oaths. The purpose of House Bill 3416 is to remove the requirement that an applicant execute the "Statement of Officer" in the presence of a person authorized to administer oaths in this state.

RULEMAKING AUTHORITY

It is the opinion of the committee that this bill does not expressly grant any additional rulemaking authority to a state officer, department, institution, or agency.

ANALYSIS

House Bill 3416 repeals Section 406.005(c) of the Government Code. The subsection requires a "Statement of Officers," as required by Section 1, Article XVI of the Texas Constitution, made by applicants for the position of notary public to be signed and sworn to or affirmed by the applicant in the presence of a notary public or other person authorized to administer oaths in this state.

EFFECTIVE DATE

September 1, 2003.

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