

By: Martinez Fischer

H.B. No. 1488

A BILL TO BE ENTITLED

AN ACT

relating to the records and seal of a notary public.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 406.022, Government Code, is amended to read as follows:

Sec. 406.022. EFFECT OF VACANCY. (a) If the office of a notary public becomes vacant or if the notary's commission expires and the notary does not renew the commission on or before the 30th day after the date the commission expired ~~[due to resignation, removal, or death]~~, the notary, or a representative of the notary, shall:

(1) deliver to the county clerk of the county in which the notary public resides ~~[shall obtain]~~ the record books and public papers belonging to the office of the notary public for ~~[and]~~ deposit ~~[them]~~ in the county clerk's office;

(2) pay a \$15 fee to the county clerk for storage of the records and papers; and

(3) surrender to the county clerk the notary's seal of office.

(b) The county clerk shall deposit a fee collected under this section to the credit of the general fund of the county.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this

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- 1 Act does not receive the vote necessary for immediate effect, this
- 2 Act takes effect September 1, 2003.