

BILL ANALYSIS

C.S.H.B. 3091
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Judiciary & Civil Jurisprudence
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Often foreign nationals buy property in Texas. Current law does not allow notaries to accept an identification issued by a foreign government as satisfactory evidence of the individual's identification in the acknowledgment of written instruments. The only acceptable means of establishing the individual's identity is an oath of a credible witness personally known to the notary. A foreign passport or government-issued identification would serve as a more secure and reliable method of proving identity.

C.S.H.B. 3091 includes a current identification card or other document issued by a foreign government among the items considered satisfactory evidence of identity for purposes of acknowledging a written instrument.

RULEMAKING AUTHORITY

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

ANALYSIS

C.S.H.B. 3091 amends the Civil Practice and Remedies Code to include a current identification card or other document issued by a foreign government among items considered satisfactory evidence of identity for purposes of acknowledging a written instrument.

EFFECTIVE DATE

September 1, 2009.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The committee substitute differs from the original in that it is a Legislative Council Draft.