

BILL ANALYSIS

H.B. 2235
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Licensing & Administrative Procedures
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties note that for a person to be appointed and commissioned as a notary public, that person must not have been convicted of crime involving moral turpitude. The parties assert that an opinion handed down by the Texas attorney general has caused confusion about the secretary of state's authority with respect to rejecting an applicant who has a final conviction for such a crime. H.B. 2235 seeks to bring clarity to this matter.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

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

H.B. 2235 amends the Government Code to require the secretary of state to reject a notary application or revoke a notary commission if the secretary of state discovers at any time that an applicant to be a notary public or a commissioned notary public is not eligible to serve as a notary public. The bill removes a final conviction for a crime involving moral turpitude as a condition under which good cause for the rejection of an application for, or suspension or revocation of, the commission of a notary public is established.

EFFECTIVE DATE

September 1, 2015.