

By: Anderson of Dallas

H.B. No. 2235

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the eligibility requirements of a notary public.

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

4 SECTION 1. Section 406.004, Government Code, is amended to
5 read as follows:

6 Sec. 406.004. ELIGIBILITY. (a) Each person appointed and
7 commissioned as a notary public shall be at least 18 years of age
8 and a resident of the State of Texas and must not have been
9 convicted of a felony or crime involving moral turpitude.

10 (b) If the secretary of state discovers, at any time, that
11 an applicant to be a notary public or a commissioned notary public
12 is not eligible to serve as a notary public, the secretary of state
13 shall:

14 (1) reject the notary application; or

15 (2) revoke the notary commission.

16 SECTION 2. Section 406.009(d), Government Code, is amended
17 to read as follows:

18 (d) In this section, "good cause" includes:

19 (1) ~~[a final conviction for a crime involving moral~~
20 ~~turpitude,~~

21 ~~[(2)]~~ a false statement knowingly made in an
22 application;

23 (2) ~~[(3)]~~ the failure to comply with Section 406.017;

24 (3) ~~[(4)]~~ a final conviction for a violation of a law

1 concerning the regulation of the conduct of notaries public in this
2 or another state;

3 (4) [~~(5)~~] the imposition on the notary public of an
4 administrative, criminal, or civil penalty for a violation of a law
5 or rule prescribing the duties of a notary public; or

6 (5) [~~(6)~~] performing any notarization when the person
7 for whom the notarization is performed did not personally appear
8 before the notary at the time the notarization is executed.

9 SECTION 3. This Act takes effect September 1, 2015.