

By: Anderson of Dallas

H.B. No. 2235

A BILL TO BE ENTITLED

AN ACT

relating to the eligibility requirements of a notary public.

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

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

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

(b) 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 secretary of state shall:

(1) reject the notary application; or

(2) revoke the notary commission.

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

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

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

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

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

(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.