

By: Rodríguez

S.B. No. 665

A BILL TO BE ENTITLED

AN ACT

relating to education requirements for a notary public appointment;  
authorizing a fee.

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

SECTION 1. Subchapter A, Chapter 406, Government Code, is amended by adding Section 406.0045 to read as follows:

Sec. 406.0045. REQUIRED EDUCATIONAL COURSE. (a) An applicant for an appointment as a notary public shall complete an educational course approved by the secretary of state. The educational course may be an online, self-study, or classroom course.

(b) The secretary of state shall adopt rules necessary to implement the educational course requirement imposed by Subsection (a). The rules must:

(1) establish the standards for an educational course;  
(2) establish the procedures for approving an educational course; and

(3) set a nonrefundable vendor application and renewal fee for a vendor of an educational course in an amount sufficient to administer this section.

(c) The secretary of state shall provide a free educational course for purposes of Subsection (a).

SECTION 2. Section 406.005, Government Code, is amended by adding Subsection (c) to read as follows:

1        (c) An application under this section must include a  
2 statement that the applicant has completed an educational course  
3 required by Section 406.0045.

4        SECTION 3. Section 406.006, Government Code, is amended to  
5 read as follows:

6        Sec. 406.006. QUALIFICATION. An individual qualifies by:

- 7            (1) properly completing the application form;  
8            (2) executing the statement;  
9            (3) providing the bond, if required;  
10           (4) paying the required filing fees; ~~and~~  
11           (5) meeting the eligibility requirements; and  
12           (6) providing a statement of completion of an  
13 educational course required by Section 406.0045.

14        SECTION 4. Section 406.007(a), Government Code, is amended  
15 to read as follows:

16        (a) The applicant must submit to the secretary of state:

17            (1) a fee of \$10 for approving and filing the bond of  
18 the notary public, if required; and

19            (2) a fee of \$1 to be appropriated to and used by the  
20 secretary of state ~~only~~ for:

21                    (A) hiring an investigator;  
22                    (B) administering and managing an educational  
23 course under Section 406.0045(c); and

24                    (C) ~~for~~ preparing and distributing the  
25 materials required to be distributed under Section 406.008.

26        SECTION 5. Section 406.011, Government Code, is amended by  
27 adding Subsection (c) to read as follows:

1           (c) A notary public reappointed before the expiration of the  
2 notary's term is not required to complete an educational course  
3 described by Section 406.0045.

4           SECTION 6. The changes in law made by this Act apply only to  
5 an application for a notary public appointment filed on or after  
6 September 1, 2018. An application filed before September 1, 2018,  
7 is governed by the law as it existed immediately before the  
8 effective date of this Act, and that law is continued in effect for  
9 that purpose.

10           SECTION 7. This Act takes effect September 1, 2017.