

By: Price, Krause, Meyer, Minjarez, Moody

H.B. No. 1159

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the acknowledgment of a written instrument on behalf of  
3 a limited liability company or partnership.

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

5 SECTION 1. Section 121.006(b), Civil Practice and Remedies  
6 Code, is amended to read as follows:

7 (b) In an acknowledgment form "acknowledged" means:

8 (1) in the case of a natural person, that the person  
9 personally appeared before the officer taking the acknowledgment  
10 and acknowledged executing the instrument for the purposes and  
11 consideration expressed in it;

12 (2) in the case of a person as principal by an  
13 attorney-in-fact for the principal, that the attorney-in-fact  
14 personally appeared before the officer taking the acknowledgment  
15 and that the attorney-in-fact acknowledged executing the  
16 instrument as the act of the principal for the purposes and  
17 consideration expressed in it;

18 (3) in the case of a partnership by a partner, ~~or~~  
19 partners, authorized officer, or agent acting for the partnership,  
20 that the partner, ~~or~~ partners, authorized officer, or agent  
21 personally appeared before the officer taking the acknowledgment  
22 and acknowledged executing the instrument in the capacity stated,  
23 as the act of the partnership, for the purposes and consideration  
24 expressed in it;

1           (4) in the case of a corporation by a corporate officer  
2 or agent, that the corporate officer or agent personally appeared  
3 before the officer taking the acknowledgment and that the corporate  
4 officer or agent acknowledged executing the instrument in the  
5 capacity stated, as the act of the corporation, for the purposes and  
6 consideration expressed in it; ~~and~~

7           (5) in the case of a person acknowledging as a public  
8 officer, trustee, executor or administrator of an estate, guardian,  
9 or other representative, that the person personally appeared before  
10 the officer taking the acknowledgment and acknowledged executing  
11 the instrument by proper authority in the capacity stated and for  
12 the purposes and consideration expressed in it; and

13           (6) in the case of a limited liability company by a  
14 member, manager, authorized officer, or agent acting for the  
15 limited liability company, that the member, manager, authorized  
16 officer, or agent personally appeared before the officer taking the  
17 acknowledgment and acknowledged executing the instrument in the  
18 capacity stated, as the act of the limited liability company, for  
19 the purposes and consideration expressed in it.

20           SECTION 2. Section [121.008](#)(b), Civil Practice and Remedies  
21 Code, is amended to read as follows:

22           (b) Short forms for certificates of acknowledgment include:

23           (1) For a natural person acting in his own right:

24           State of Texas

25           County of \_\_\_\_\_

26           This instrument was acknowledged before me on (date) by  
27 (name or names of person or persons acknowledging).

(Signature of officer)

(Title of officer)

My commission expires: \_\_\_\_\_

(2) For a natural person as principal acting by attorney-in-fact:

State of Texas

County of \_\_\_\_\_

This instrument was acknowledged before me on (date) by (name of attorney-in-fact) as attorney-in-fact on behalf of (name of principal).

(Signature of officer)

(Title of officer)

My commission expires: \_\_\_\_\_

(3) For a partnership acting by one or more partners, an authorized officer, or an agent:

State of Texas

County of \_\_\_\_\_

This instrument was acknowledged before me on (date) by (name of acknowledging partner, ~~or~~ partners, authorized officer, or agent), (partner(s), authorized officer, or agent) on behalf of (name of partnership), a partnership.

(Signature of officer)

(Title of officer)

My commission expires: \_\_\_\_\_

(4) For a corporation:

State of Texas

County of \_\_\_\_\_



1 My commission expires: \_\_\_\_\_

2 SECTION 3. This Act takes effect September 1, 2019.