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 a limited liability company or partnership. 3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS: 4 5 SECTION 1. Section 121.006(b), Civil Practice and Remedies Code, is amended to read as follows: 6 In an acknowledgment form "acknowledged" means: 7 (b) 8 (1) in the case of a natural person, that the person personally appeared before the officer taking the acknowledgment 9 and acknowledged executing the instrument for the purposes and 10 11 consideration expressed in it; 12 (2) in the case of a person as principal by an attorney-in-fact for the principal, that the attorney-in-fact 13 personally appeared before the officer taking the acknowledgment 14 that the attorney-in-fact acknowledged executing 15 and the instrument as the act of the principal for the purposes and 16 consideration expressed in it; 17 18 (3) in the case of a partnership by a partner, [or] partners, authorized officer, or agent acting for the partnership, 19 that the partner, [or] partners, authorized officer, or agent 20 personally appeared before the officer taking the acknowledgment 21 and acknowledged executing the instrument in the capacity stated, 22 23 as the act of the partnership, for the purposes and consideration expressed in it; 24

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H.B. No. 1159

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:

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

Short forms for certificates of acknowledgment include:

24 State of Texas

(b)

25 County of ____

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

2

H.B. No. 1159 1 (Signature of officer) (Title of officer) 2 My commission expires: ____ 3 4 (2) For a natural person as principal acting by 5 attorney-in-fact: 6 State of Texas 7 County of _____ 8 This instrument was acknowledged before me on (date) by (name of attorney-in-fact) as attorney-in-fact on behalf of (name 9 10 of principal). (Signature of officer) 11 (Title of officer) 12 My commission expires: _____ 13 14 (3) For a partnership acting by one or more partners, 15 an authorized officer, or an agent: State of Texas 16 17 County of ____ This instrument was acknowledged before me on (date) by 18 (name of acknowledging partner, [or] partners, authorized officer, 19 or agent), (partner(s), authorized officer, or agent) on behalf of 20 (name of partnership), a partnership. 21 22 (Signature of officer) (Title of officer) 23 24 My commission expires: _____ (4) For a corporation: 25 26 State of Texas County of _____ 27

H.B. No. 1159 1 This instrument was acknowledged before me on (date) by (name of officer), (title of officer) of (name of corporation 2 3 acknowledging) a (state of incorporation) corporation, on behalf of said corporation. 4 5 (Signature of officer) (Title of officer) 6 7 My commission expires: 8 (5) For a public officer, trustee, executor, administrator, guardian, or other representative: 9 10 State of Texas 11 County of _____ This instrument was acknowledged before me on (date) by 12 (name of representative) as (title of representative) of (name of 13 14 entity or person represented). 15 (Signature of officer) 16 (Title of officer) 17 My commission expires: ____ (6) For a limited liability company: 18 19 State of Texas 20 County of ____ 21 This instrument was acknowledged before me on (date) by (name of acknowledging member, manager, authorized officer, or 22 agent), a (member, manager, authorized officer, or agent) of (name 23 24 of limited liability company) on behalf of (name of limited liability company), a limited liability company. 25 26 (Signature of officer) 27 (Title of officer)

4

H.B. No. 1159

1		My commission expires:
2	SECTION 3.	This Act takes effect September 1, 2019.