

1-1 By: Price, et al. (Senate Sponsor - Watson) H.B. No. 1159
 1-2 (In the Senate - Received from the House April 11, 2019;
 1-3 April 17, 2019, read first time and referred to Committee on State
 1-4 Affairs; April 29, 2019, reported favorably by the following vote:
 1-5 Yeas 8, Nays 0; April 29, 2019, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Huffman	X			
1-8 Hughes	X			
1-9 Birdwell	X			
1-10 Creighton			X	
1-11 Fallon	X			
1-12 Hall	X			
1-13 Lucio	X			
1-14 Nelson	X			
1-15 Zaffirini	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to the acknowledgment of a written instrument on behalf of
 1-20 a limited liability company or partnership.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 121.006(b), Civil Practice and Remedies
 1-23 Code, is amended to read as follows:

1-24 (b) In an acknowledgment form "acknowledged" means:

1-25 (1) in the case of a natural person, that the person
 1-26 personally appeared before the officer taking the acknowledgment
 1-27 and acknowledged executing the instrument for the purposes and
 1-28 consideration expressed in it;

1-29 (2) in the case of a person as principal by an
 1-30 attorney-in-fact for the principal, that the attorney-in-fact
 1-31 personally appeared before the officer taking the acknowledgment
 1-32 and that the attorney-in-fact acknowledged executing the
 1-33 instrument as the act of the principal for the purposes and
 1-34 consideration expressed in it;

1-35 (3) in the case of a partnership by a partner, ~~or~~
 1-36 partners, authorized officer, or agent acting for the partnership,
 1-37 that the partner, ~~or~~ partners, authorized officer, or agent
 1-38 personally appeared before the officer taking the acknowledgment
 1-39 and acknowledged executing the instrument in the capacity stated,
 1-40 as the act of the partnership, for the purposes and consideration
 1-41 expressed in it;

1-42 (4) in the case of a corporation by a corporate officer
 1-43 or agent, that the corporate officer or agent personally appeared
 1-44 before the officer taking the acknowledgment and that the corporate
 1-45 officer or agent acknowledged executing the instrument in the
 1-46 capacity stated, as the act of the corporation, for the purposes and
 1-47 consideration expressed in it; ~~and~~

1-48 (5) in the case of a person acknowledging as a public
 1-49 officer, trustee, executor or administrator of an estate, guardian,
 1-50 or other representative, that the person personally appeared before
 1-51 the officer taking the acknowledgment and acknowledged executing
 1-52 the instrument by proper authority in the capacity stated and for
 1-53 the purposes and consideration expressed in it; and

1-54 (6) in the case of a limited liability company by a
 1-55 member, manager, authorized officer, or agent acting for the
 1-56 limited liability company, that the member, manager, authorized
 1-57 officer, or agent personally appeared before the officer taking the
 1-58 acknowledgment and acknowledged executing the instrument in the
 1-59 capacity stated, as the act of the limited liability company, for
 1-60 the purposes and consideration expressed in it.

1-61 SECTION 2. Section 121.008(b), Civil Practice and Remedies

2-1 Code, is amended to read as follows:

2-2 (b) Short forms for certificates of acknowledgment include:

2-3 (1) For a natural person acting in his own right:

2-4 State of Texas

2-5 County of _____

2-6 This instrument was acknowledged before me on (date) by
2-7 (name or names of person or persons acknowledging).

(Signature of officer)

(Title of officer)

My commission expires: _____

2-10 (2) For a natural person as principal acting by
2-11 attorney-in-fact:

2-12 State of Texas

2-13 County of _____

2-14 This instrument was acknowledged before me on (date) by
2-15 (name of attorney-in-fact) as attorney-in-fact on behalf of (name
2-16 of principal).

(Signature of officer)

(Title of officer)

My commission expires: _____

2-20 (3) For a partnership acting by one or more partners,
2-21 an authorized officer, or an agent:

2-22 State of Texas

2-23 County of _____

2-24 This instrument was acknowledged before me on (date) by
2-25 (name of acknowledging partner, ~~or~~ partners, authorized officer,
2-26 or agent), (partner(s), authorized officer, or agent) on behalf of
2-27 (name of partnership), a partnership.

(Signature of officer)

(Title of officer)

My commission expires: _____

2-31 (4) For a corporation:

2-32 State of Texas

2-33 County of _____

2-34 This instrument was acknowledged before me on (date) by
2-35 (name of officer), (title of officer) of (name of corporation
2-36 acknowledging) a (state of incorporation) corporation, on behalf of
2-37 said corporation.

(Signature of officer)

(Title of officer)

My commission expires: _____

2-41 (5) For a public officer, trustee, executor,
2-42 administrator, guardian, or other representative:

2-43 State of Texas

2-44 County of _____

2-45 This instrument was acknowledged before me on (date) by
2-46 (name of representative) as (title of representative) of (name of
2-47 entity or person represented).

(Signature of officer)

(Title of officer)

My commission expires: _____

2-51 (6) For a limited liability company:

2-52 State of Texas

2-53 County of _____

2-54 This instrument was acknowledged before me on (date) by
2-55 (name of acknowledging member, manager, authorized officer, or
2-56 agent), a (member, manager, authorized officer, or agent) of (name
2-57 of limited liability company) on behalf of (name of limited
2-58 liability company), a limited liability company.

(Signature of officer)

(Title of officer)

My commission expires: _____

2-62 SECTION 3. This Act takes effect September 1, 2019.

2-64 * * * * *