

Amend CSHB 3657 (house committee report) as follows:

(1) On page 2, lines 10 and 11, strike ", other than an online notarization,".

(2) On page 2, lines 11 and 12, strike "or maker" and substitute "maker, or principal".

(3) On page 2, line 16, strike "felony of the third degree" and substitute "state jail felony".

(4) On page 2, between lines 17 and 18, insert the following:

(c) It is an affirmative defense to prosecution under Subsection (a) that the person who personally appeared before the notary public knowingly presented an apparently valid proof of identification identifying the person as the signer, grantor, maker, or principal for whom the notarization was purported to be performed, regardless of the identity of the person.

(d) For purposes of this section, a person personally appears before a notary public if:

(1) for a notarization other than an online notarization, the person physically appears before the notary public at the time of the notarization in a manner that permits the notary public and the person to see, hear, communicate with, and provide proof of identification to each other; and

(2) for an online notarization, the person appears at the time of the notarization by an interactive two-way video and audio conference technology that meets the standards adopted for online notarization under Section 406.104.

(5) On page 3, line 5, between "reappointment." and "The", insert "The rules may not require a person to complete more than two hours of education for appointment or two hours of continuing education for reappointment as a notary public.".