

A BILL TO BE ENTITLED

AN ACT

relating to creating a criminal offense for the use of a notary seal or counterfeit seal on a fraudulent document or instrument.

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

SECTION 1. Subchapter A, Chapter 406, Government Code, is amended by adding Section 406.027 to read as follows:

Sec. 406.027. USE OF NOTARY SEAL OR COUNTERFEIT SEAL ON FRAUDULENT DOCUMENT OR INSTRUMENT; CRIMINAL OFFENSE. (a) For purposes of this section, "counterfeit seal" means a mark identical to or substantially indistinguishable from a notary seal that the secretary of state did not provide to or otherwise authorize use by the individual who affixed the mark, including a photocopy, scanned image, or other electronic copy of a notary seal.

(b) A person commits an offense if the person knowingly:

(1) affixes a notary seal or counterfeit seal to a document or instrument presumed to be fraudulent under Section 51.901(c)(2); and

(2) files, records, or attempts to file or record the document or instrument with a clerk of the supreme court, clerk of the court of criminal appeals, clerk of a court of appeals, district clerk, county clerk, district and county clerk, or municipal clerk.

(c) An offense under this section is a Class A misdemeanor.

(d) If conduct that constitutes an offense under this section also constitutes an offense under any other law, the actor

1 may be prosecuted under this section, the other law, or both.

2 SECTION 2. This Act takes effect September 1, 2025.