

1-1 By: Anderson of Dallas (Senate Sponsor - Birdwell) H.B. No. 2235
 1-2 (In the Senate - Received from the House May 18, 2015;
 1-3 May 18, 2015, read first time and referred to Committee on State
 1-4 Affairs; May 22, 2015, reported favorably by the following vote:
 1-5 Yeas 8, Nays 0; May 22, 2015, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Huffman	X			
1-8 Ellis	X			
1-9 Birdwell	X			
1-10 Creighton			X	
1-11 Estes	X			
1-12 Fraser	X			
1-13 Nelson	X			
1-14 Schwertner	X			
1-15 Zaffirini	X			

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

1-19 relating to the eligibility requirements of a notary public.

1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-21 SECTION 1. Section 406.004, Government Code, is amended to
 1-22 read as follows:

1-23 Sec. 406.004. ELIGIBILITY. (a) Each person appointed and
 1-24 commissioned as a notary public shall be at least 18 years of age
 1-25 and a resident of the State of Texas and must not have been
 1-26 convicted of a felony or crime involving moral turpitude.

1-27 (b) If the secretary of state discovers, at any time, that
 1-28 an applicant to be a notary public or a commissioned notary public
 1-29 is not eligible to serve as a notary public, the secretary of state
 1-30 shall:

- 1-31 (1) reject the notary application; or
- 1-32 (2) revoke the notary commission.

1-33 SECTION 2. Section 406.009(d), Government Code, is amended
 1-34 to read as follows:

1-35 (d) In this section, "good cause" includes:

1-36 (1) ~~[a final conviction for a crime involving moral~~
 1-37 ~~turpitude;~~

1-38 ~~[(2)]~~ a false statement knowingly made in an
 1-39 application;

1-40 (2) ~~[(3)]~~ the failure to comply with Section 406.017;

1-41 (3) ~~[(4)]~~ a final conviction for a violation of a law
 1-42 concerning the regulation of the conduct of notaries public in this
 1-43 or another state;

1-44 (4) ~~[(5)]~~ the imposition on the notary public of an
 1-45 administrative, criminal, or civil penalty for a violation of a law
 1-46 or rule prescribing the duties of a notary public; or

1-47 (5) ~~[(6)]~~ performing any notarization when the person
 1-48 for whom the notarization is performed did not personally appear
 1-49 before the notary at the time the notarization is executed.

1-50 SECTION 3. This Act takes effect September 1, 2015.

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