

1-1 By: Swanson, Reynolds (Senate Sponsor - Zaffirini) H.B. No. 255
 1-2 (In the Senate - Received from the House April 17, 2023;
 1-3 April 18, 2023, read first time and referred to Committee on State
 1-4 Affairs; May 10, 2023, reported favorably by the following vote:
 1-5 Yeas 10, Nays 0; May 10, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14			X	
1-15	X			
1-16	X			
1-17	X			
1-18	X			

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to notaries public; increasing the amount of certain fees.
 1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-23 SECTION 1. Section 406.013, Government Code, is amended by
 1-24 adding Subsection (e) to read as follows:
 1-25 (e) A notary public may not:
 1-26 (1) provide a copy of the notary public's seal to
 1-27 another person; or
 1-28 (2) affix or attach the notary public's seal to any
 1-29 document except to authenticate the notary public's official act.
 1-30 SECTION 2. Section 406.014, Government Code, is amended by
 1-31 adding Subsection (f) to read as follows:
 1-32 (f) A notary public may record the expiration date of an
 1-33 identification card issued by a governmental agency or passport
 1-34 issued by the United States if the signer, grantor, or maker of an
 1-35 instrument or document presents the card or passport to the notary
 1-36 public as identification.
 1-37 SECTION 3. Section 406.024, Government Code, is amended to
 1-38 read as follows:
 1-39 Sec. 406.024. FEES CHARGED BY NOTARY PUBLIC. (a) A notary
 1-40 public or its employer may charge the following fees:
 1-41 (1) for protesting a bill or note for nonacceptance or
 1-42 nonpayment, register and seal, a fee of \$4;
 1-43 (2) for each notice of protest, a fee of \$1;
 1-44 (3) for protesting in all other cases, a fee of \$4;
 1-45 (4) for certificate and seal to a protest, a fee of \$4;
 1-46 (5) for taking the acknowledgment or proof of a deed or
 1-47 other instrument in writing, for registration, including
 1-48 certificate and seal, a fee of \$10 [~~\$6~~] for the first signature and
 1-49 \$1 for each additional signature;
 1-50 (6) for administering an oath or affirmation with
 1-51 certificate and seal, a fee of \$10 [~~\$6~~];
 1-52 (7) for a certificate under seal not otherwise
 1-53 provided for, a fee of \$10 [~~\$6~~];
 1-54 (8) for a copy of a record or paper in the notary
 1-55 public's office, a fee of \$1 [~~50 cents~~] for each page;
 1-56 (9) for taking the deposition of a witness, \$1 [~~50~~
 1-57 ~~cents~~] for each 100 words;
 1-58 (10) for swearing a witness to a deposition,
 1-59 certificate, seal, and other business connected with taking the
 1-60 deposition, a fee of \$10 [~~\$6~~]; and
 1-61 (11) for a notarial act not provided for, a fee of \$10

2-1 [~~\$6~~].

2-2 (b) A notary public may charge a fee only for an
2-3 acknowledgment or official act under Subsection (a). The fee
2-4 charged may not exceed the fee authorized by Subsection (a), as
2-5 adjusted under Subsection (c).

2-6 (c) Once every five years, the secretary of state shall
2-7 adjust the fees provided under Subsection (a) by the amount that
2-8 results from applying the inflation rate, as determined by the
2-9 comptroller on the basis of the increase, if any, in the Consumer
2-10 Price Index for All Urban Consumers published by the Bureau of Labor
2-11 Statistics of the United States Department of Labor, to the current
2-12 fee amounts.

2-13 SECTION 4. The secretary of state shall make the first
2-14 adjustment in fees under Section 406.024(c), Government Code, as
2-15 added by this Act, not later than December 31, 2028.

2-16 SECTION 5. This Act takes effect September 1, 2023.

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