

1-1 By: West S.B. No. 648
1-2 (In the Senate - Filed December 18, 2024; February 3, 2025,
1-3 read first time and referred to Committee on Business & Commerce;
1-4 April 16, 2025, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 10, Nays 0, one present not
1-6 voting; April 16, 2025, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	Schwertner	X		
1-10	King	X		
1-11	Blanco	X		
1-12	Campbell	X		
1-13	Creighton	X		
1-14	Johnson	X		
1-15	Kolkhorst	X		
1-16	Menéndez			X
1-17	Middleton	X		
1-18	Nichols	X		
1-19	Zaffirini	X		

1-20 COMMITTEE SUBSTITUTE FOR S.B. No. 648 By: Blanco

1-21 A BILL TO BE ENTITLED
1-22 AN ACT

1-23 relating to recording requirements for certain instruments
1-24 concerning real property.

1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-26 SECTION 1. Section 12.001, Property Code, is amended by
1-27 amending Subsection (b) and adding Subsection (b-1) to read as
1-28 follows:

1-29 (b) An instrument conveying real property may not be
1-30 recorded unless:

1-31 (1) if the instrument is filed for recording by an
1-32 attorney, title agent, title company, or escrow company that
1-33 provides closing, settlement, or other comparable transaction
1-34 services in connection with the transfer of real property, or a
1-35 person acting on behalf of the attorney, agent, or company, the
1-36 instrument ~~it~~ is signed by the grantor and:

1-37 (A) ~~and~~ acknowledged or sworn to by the grantor
1-38 in the presence of two or more credible subscribing witnesses; or

1-39 (B) acknowledged or sworn to by the grantor
1-40 before and certified by an officer authorized to take
1-41 acknowledgements or oaths, as applicable; and

1-42 (2) if the instrument is filed for recording by an
1-43 individual other than a person described by Subdivision (1), the
1-44 instrument is:

1-45 (A) signed by the grantor;

1-46 (B) acknowledged or sworn to by the grantor and
1-47 grantee in the presence of two or more credible subscribing
1-48 witnesses; and

1-49 (C) acknowledged or sworn to by the grantor, the
1-50 grantee, and each subscribing witness before and certified by an
1-51 officer authorized to take acknowledgements or oaths, as
1-52 applicable.

1-53 (b-1) An affidavit of heirship concerning heirship to real
1-54 property that is filed for recording by an individual described by
1-55 Subsection (b)(2) may not be recorded unless it is:

1-56 (1) signed by the individual making the affidavit;

1-57 (2) acknowledged or sworn to by the individual making
1-58 the affidavit and each heir to real property named in the affidavit
1-59 that is not under a legal disability in the presence of two credible
1-60 subscribing witnesses with knowledge of the facts in the affidavit;

2-1 and
2-2 (3) acknowledged or sworn to by the individual making
2-3 the affidavit, each heir to real property named in the affidavit
2-4 that is not under a legal disability, and each subscribing witness
2-5 with knowledge of the facts in the affidavit before and certified by
2-6 an officer authorized to take acknowledgements or oaths, as
2-7 applicable.

2-8 SECTION 2. This Act takes effect immediately if it receives
2-9 a vote of two-thirds of all the members elected to each house, as
2-10 provided by Section 39, Article III, Texas Constitution. If this
2-11 Act does not receive the vote necessary for immediate effect, this
2-12 Act takes effect September 1, 2025.

2-13 * * * * *