

1-1 By: West S.B. No. 693  
1-2 (In the Senate - Filed January 3, 2025; February 3, 2025,  
1-3 read first time and referred to Committee on Criminal Justice;  
1-4 March 31, 2025, reported adversely, with favorable Committee  
1-5 Substitute by the following vote: Yeas 7, Nays 0; March 31, 2025,  
1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	Flores	X		
1-10	Parker	X		
1-11	Hagenbuch	X		
1-12	Hinojosa of Hidalgo	X		
1-13	Huffman	X		
1-14	King	X		
1-15	Miles	X		

1-16 COMMITTEE SUBSTITUTE FOR S.B. No. 693 By: Flores

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

1-19 relating to notaries public; creating a criminal offense.  
1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:  
1-21 SECTION 1. Section 406.006, Government Code, is amended to  
1-22 read as follows:  
1-23 Sec. 406.006. QUALIFICATION. An individual qualifies by:  
1-24 (1) properly completing the application form;  
1-25 (2) executing the statement;  
1-26 (3) providing the bond, if required;  
1-27 (4) paying the required filing fees; ~~and~~  
1-28 (5) meeting the eligibility requirements; and  
1-29 (6) successfully completing the education  
1-30 requirements established under Section 406.023.  
1-31 SECTION 2. Section 406.009(d), Government Code, is amended  
1-32 to read as follows:  
1-33 (d) In this section, "good cause" includes:  
1-34 (1) a false statement knowingly made in an  
1-35 application;  
1-36 (2) the failure to comply with Section 406.017;  
1-37 (3) a final conviction for a violation of a law  
1-38 concerning the regulation of the conduct of notaries public in this  
1-39 or another state;  
1-40 (4) the imposition on the notary public of an  
1-41 administrative, criminal, or civil penalty for a violation of a law  
1-42 or rule prescribing the duties of a notary public; ~~or~~  
1-43 (5) performing any notarization when the person for  
1-44 whom the notarization is performed did not personally appear before  
1-45 the notary at the time the notarization is executed; or  
1-46 (6) failure to maintain records under Section 406.014.  
1-47 SECTION 3. Subchapter A, Chapter 406, Government Code, is  
1-48 amended by adding Section 406.0091 to read as follows:  
1-49 Sec. 406.0091. OFFENSE OF NOTARIZATION FOR PERSON NOT  
1-50 PERSONALLY APPEARING. (a) A person commits an offense if, as a  
1-51 notary public, the person performs any notarization with knowledge  
1-52 that the signer, grantor, maker, or principal for whom the  
1-53 notarization is performed did not personally appear before the  
1-54 notary public at the time the notarization is executed.  
1-55 (b) An offense under this section is a Class A misdemeanor,  
1-56 except that it is a state jail felony if the document being  
1-57 notarized involves the transfer of real property.  
1-58 (c) It is an affirmative defense to prosecution under  
1-59 Subsection (a) that the person who personally appeared before the  
1-60 notary public knowingly presented an apparently valid proof of

2-1 identification identifying the person as the signer, grantor,  
2-2 maker, or principal for whom the notarization was purported to be  
2-3 performed, regardless of the identity of the person.

2-4 (d) For purposes of this section, a person personally  
2-5 appears before a notary public if:

2-6 (1) for a notarization other than an online  
2-7 notarization, the person physically appears before the notary  
2-8 public at the time of the notarization in a manner that permits the  
2-9 notary public and the person to see, hear, communicate with, and  
2-10 provide proof of identification to each other; and

2-11 (2) for an online notarization, the person appears at  
2-12 the time of the notarization by an interactive two-way video and  
2-13 audio conference technology that meets the standards adopted for  
2-14 online notarization under Section 406.104.

2-15 SECTION 4. Section 406.011, Government Code, is amended by  
2-16 adding Subsection (c) to read as follows:

2-17 (c) A notary public who has applied for reappointment must  
2-18 successfully complete the continuing education requirements  
2-19 established under Section 406.023 before being reappointed.

2-20 SECTION 5. Section 406.014, Government Code, is amended by  
2-21 adding Subsection (g) to read as follows:

2-22 (g) A notary public shall retain the records required by  
2-23 Subsection (a) until the 10th anniversary of the date of  
2-24 notarization.

2-25 SECTION 6. Section 406.023, Government Code, is amended by  
2-26 adding Subsection (d) to read as follows:

2-27 (d) The secretary of state shall adopt rules necessary to  
2-28 establish education requirements for appointment and continuing  
2-29 education requirements for reappointment as a notary public. The  
2-30 rules:

2-31 (1) may not require a person to complete more than two  
2-32 hours of education for appointment or two hours of continuing  
2-33 education for reappointment;

2-34 (2) must require that the secretary of state establish  
2-35 and offer education and continuing education courses for a  
2-36 reasonable price;

2-37 (3) must prohibit any person other than the secretary  
2-38 of state from providing education or continuing education courses;  
2-39 and

2-40 (4) may not require a person appointed as a notary  
2-41 public before September 1, 2025, to complete education requirements  
2-42 required for initial appointment as a notary public on or after that  
2-43 date.

2-44 SECTION 7. Not later than January 1, 2026, the secretary of  
2-45 state shall adopt rules necessary to implement the change in law  
2-46 made by this Act.

2-47 SECTION 8. The change in law made by this Act applies only  
2-48 to an application for a notary public appointment or reappointment  
2-49 submitted on or after January 1, 2026. An application submitted  
2-50 before January 1, 2026, is governed by the law as it existed  
2-51 immediately before the effective date of this Act, and that law is  
2-52 continued in effect for that purpose.

2-53 SECTION 9. This Act takes effect September 1, 2025.

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