

Chapter 731

S.B. No. 1098

AN ACT

relating to recordings, acknowledgments, and proofs of certain written instruments.

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

SECTION 1. Sections 406.014(a) and (c), Government Code, are amended to read as follows:

(a) A notary public other than a court clerk notarizing instruments for the court shall keep in a book a record of:

(1) the date of each instrument notarized;

(2) the date of the notarization;

(3) the name of the signer, grantor, or maker;

(4) the signer's, grantor's, or maker's mailing address [~~residence or alleged residence~~];

(5) whether the signer, grantor, or maker is personally known by the notary public, was identified by an identification card issued by a governmental agency or a passport issued by the United States, or was introduced to the notary public and, if introduced, the name and mailing address [~~residence or alleged residence~~] of the individual introducing the signer, grantor, or maker;

(6) if the instrument is proved by a witness, the mailing address [~~residence~~] of the witness, whether the witness is personally known by the notary public or was introduced to the notary public and, if introduced, the name and mailing address

S.B. No. 1098

1 ~~[residence]~~ of the individual introducing the witness;

2 (7) the name and mailing address ~~[residence]~~ of the
3 grantee;

4 (8) if land is conveyed or charged by the instrument,
5 the name of the original grantee and the county where the land is
6 located; and

7 (9) a brief description of the instrument.

8 (c) A notary public shall, on payment of all fees, provide a
9 certified copy of any record of official acts in the notary public's
10 book of record ~~[office]~~ to any person requesting the copy.

11 SECTION 2. Sections 121.012(b) and (c), Civil Practice and
12 Remedies Code, are amended to read as follows:

13 (b) If the execution of the instrument is acknowledged by
14 the grantor of the instrument, the statement must also contain:

15 (1) the grantor's mailing address ~~[known or alleged~~
16 ~~residence]~~;

17 (2) whether the grantor is personally known to the
18 officer; and

19 (3) if the grantor is unknown to the officer, the name
20 and mailing address ~~[residence]~~ of the person who introduced the
21 grantor to the officer, if any.

22 (c) If the execution of the instrument is proved by a
23 witness who signed the instrument, the statement must also contain:

24 (1) the name of the witness;

25 (2) the mailing address ~~[known or alleged residence]~~
26 of the witness;

27 (3) whether the witness is personally known to the

30
Lce
3022

S.B. No. 1098

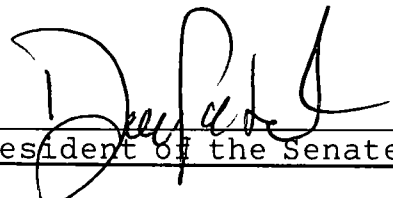
1 officer; and

2 (4) if the witness is unknown to the officer, the name
3 and mailing address [~~known or alleged residence~~] of the person who
4 introduced the witness to the officer, if any.

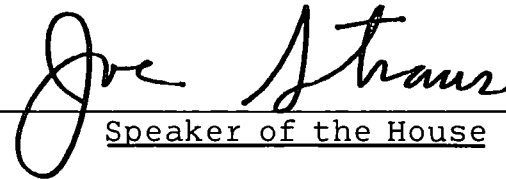
5 SECTION 3. The changes in law made by this Act apply to the
6 notarization, acknowledgment, or proof of a written instrument made
7 on or after the effective date of this Act. A notarization,
8 acknowledgment, or proof of a written instrument made before the
9 effective date of this Act is governed by the law in effect on the
10 date the notarization, acknowledgment, or proof was made, and the
11 former law is continued in effect for that purpose.

12 SECTION 4. This Act takes effect September 1, 2017.

S.B. No. 1098



President of the Senate



Speaker of the House

I hereby certify that S.B. No. 1098 passed the Senate on April 19, 2017, by the following vote: Yeas 31, Nays 0. _____



Secretary of the Senate

I hereby certify that S.B. No. 1098 passed the House on May 24, 2017, by the following vote: Yeas 146, Nays 0, two present not voting. _____



Chief Clerk of the House

Approved:

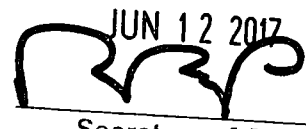
6-9-2017

Date

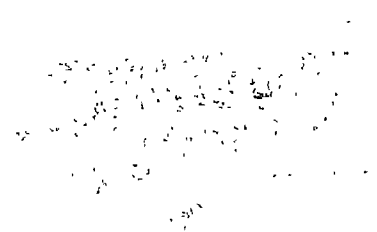


Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
3:30 PM O'CLOCK

JUN 12 2017


Secretary of State



LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 5, 2017

TO: Honorable John Kuempel, Chair, House Committee on Licensing & Administrative Procedures

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB1098 by Zaffirini (Relating to recordings, acknowledgments, and proofs of certain written instruments.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend the Government Code and Civil Practices and Remedies Code to address the notarization of certain instruments. Based on the analysis of the Office of Court Administration and the Secretary of State, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 307 Secretary of State

LBB Staff: UP, CL, AG, GDz, ASa

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

March 29, 2017

TO: Honorable Joan Huffman, Chair, Senate Committee on State Affairs

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB1098 by Zaffirini (Relating to recordings, acknowledgments, and proofs of certain written instruments.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Government Code and Civil Practices and Remedies Code to address the notarization of certain instruments. Based on the analysis of the Office of Court Administration and the Secretary of State, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 307 Secretary of State

LBB Staff: UP, AG, GDz, ASa