

## **BILL ANALYSIS**

Senate Research Center  
78R6835 AJA-F

S.B. 1087  
By: Staples  
State Affairs  
3/24/2003  
As Filed

### **DIGEST AND PURPOSE**

The Texas Government Code currently requires an applicant for the position of notary public to execute the "Statement of Officer" required by the Texas Constitution before a notary public or other person authorized to administer oaths. However, the Texas Constitution itself does not require the statement to be subscribed before a person authorized to administer oaths, and the Office of the Attorney General has indicated that the current Government Code imposes an additional duty on applicants for the position of notary public that is not imposed upon other appointed state officers. As proposed, S.B. 1087 deletes the language in the Government Code that requires applicant to execute the "Statement of Officer" before a person authorized to administer oaths in this state.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Repealer: Section 406.005(c), Government Code (requiring a certain statement made by applicants for the position of notary public to signed and sworn to or affirmed by the applicant in the presence of a notary public or other person authorized to administer oaths in this state).

SECTION 2. Effective date: September 1, 2003.