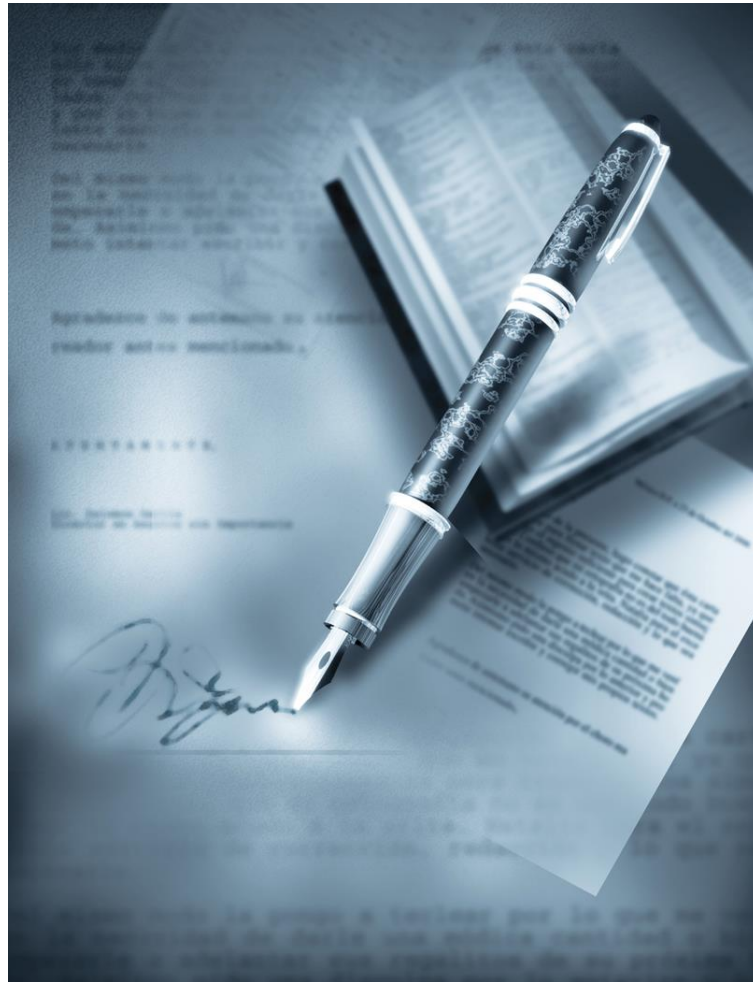




TEXAS SOUTHERN UNIVERSITY



## NOTARY APPOINTMENT USER GUIDE

July 2019



TEXAS SOUTHERN UNIVERSITY

## **INTRODUCTION**

The Office of Institutional Compliance is pleased to provide the TSU family with the FY2019 Notary Appointment User Guide. This guide is for use by faculty and staff who are interested in becoming a Texas Notary without Bond. It provides information about the Notary without Bond program and application instructions.

If you have any questions or comments about this user guide, please contact the Office of Institutional Compliance at 713-313-6821.

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# NOTARY PUBLIC APPOINTMENT PROCEDURES

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## WHAT IS A NOTARY?

A notary public is a public official, appointed by the Texas Secretary of State, with statewide jurisdiction. A Texas notary public has the same authority as the county clerk to:

1. Take acknowledgement or proofs of written instruments;
2. Protest instruments permitted by law to be protested;
3. Administer oaths;
4. Take depositions; and
5. Certify copies of documents not recordable in the public records.

Texas Government Code §406 Subchapter A lists the statutory authority and responsibility of a notary public.

## STEPS TO BECOMING A NOTARY FOR A STATE AGENCY

### **Notary Without Bond Program:**

The Office of the Texas Secretary of State administers notary public appointments. The State Office of Risk Management (SORM) manages the Notary without Bond program *Texas Administrative Code §28.4.252*.

***As of Sept. 1, 2002, state employees designated by a state agency to be a notary public are no longer required to purchase a notary bond (H.B. 1203).*** All other notary regulations must be followed.

The process for new or renewal of state employee's notary commission without bond is as follows:

1. Complete the special application for state employees who will not be providing a notary bond “Application for Appointment as Texas Notary Public - No Bond” (Form #2301-NB) [Word](#), [PDF](#)).
2. Read and complete the “State Employee Notary Acknowledgement Form” (Form #SORM-203 [Word](#), [PDF](#)).

## NOTARY PUBLIC APPOINTMENT PROCEDURES

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3. Send the original completed application, original completed acknowledgement form, and proof of employment\* to:

State Office of Risk Management  
Bonds & Insurance Section  
P.O. Box 13777  
Austin, Texas 78711-3777

**Note: All three items must be received at one time.**

\*Acceptable proof of employment is payment by the state agency or institution of higher education. Payment/proof of employment can either be:

- A copy of an interagency transaction voucher (ITV) verifying the pre-payment, transfer of the \$11 filing fee (RTI#300300, COBJ-7210, and TINS#33073073075000) from your agency to the Secretary of State with the employee's/applicant's name in the USAS transaction description; or
- A state agency/university check for \$11, payable to the Secretary of State.

SORM will forward your application to the Secretary of State's office for commission issuance. Once the application has been sent to the State Office of Risk Management, please allow a minimum of 5 working days for SORM to process the application. The application is then sent to the Secretary of State.

Individuals are able to check the status of his/her application by going to the [SOS Notary Search page](#). The name of the individual can be searched for the status of the application.

**Caveat:** A special notary stamp is required for a Notary without Bond. The stamp must show "Notary without Bond" below the bottom border of the notary stamp. The stamp may be purchased at a local rubber stamp or office supply store.

# NOTARY PUBLIC APPOINTMENT PROCEDURES

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## NOTARY EDUCATIONAL MATERIALS

SORM's training division offers information about notary public information for state employees, which provides an overview of the Secretary of State's notary public educational information as it applies to state government (<http://www.sos.state.tx.us/statdoc/edinfo.shtml>). An online training video is also available [here](#).

# NOTARY PUBLIC APPOINTMENT PROCEDURES

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## NOTARY FORMS

- **Form 2301.** Application for Appointment as a Texas Notary Public—General application and bond form to become a Texas notary. ([Word](#), [Acrobat](#))
- **Form 2301-E.** Application for Appointment as Texas Notary Public by Escrow Officer Residing in Adjacent State. ([Word](#), [Acrobat](#))
- **Form 2301-NB.** Application for Appointment as a Texas Notary Public—No Bond. **(FOR STATE EMPLOYEES ONLY)** ([Word](#), [Acrobat](#))
- **Form 2302.** Notary Public Change of Address—Form to notify the secretary of state of a notary public's address change as required by section [406.019](#), Government Code. [Rev. 06-16](#) (# of pages - 2) ([Word](#), [Acrobat](#)) | ([Update your mailing/email address online!](#))
- **Form 2303.** Voluntary Surrender of Notary Public Commission—Form to surrender an unexpired notary public commission. [Rev. 01-19](#) (# of pages - 2) ([Word](#), [Acrobat](#))
- **Form 2303-ON.** Voluntary Surrender of Online Notary Public Commission—Form to surrender an unexpired online notary public commission. [Rev. 01-19](#) (# of pages - 3) ([Word](#), [Acrobat](#))
- **Form 2304.** Notary Public Complaint—Form to initiate a complaint against a notary public. [Rev. 10-16](#) (# of pages - 5) ([Word](#), [Acrobat](#))
- **Form 2305.** Application for Change of Name as a Texas Notary Public—Form to change the name on a notary's commission. (Rev. 9-17) (# of pages - 2) ([Word](#), [Acrobat](#))
- **Form 2305-NB.** Application for Change of Name as Texas Notary Public Without Bond. [For notaries who are state employees \(PDF\)](#).
- [Request a Replacement Commission](#)

# STATUTORY REQUIREMENTS

## Texas Administrative Code

### TITLE 28 INSURANCE

#### PART 4 STATE OFFICE OF RISK MANAGEMENT

#### CHAPTER 252 STATE RISK MANAGEMENT

#### SUBCHAPTER E NOTARIES WITHOUT BOND

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#### **RULE §252.501 General Provisions**

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(a) State employees whose duties include service as notaries shall serve without bond and shall not submit a notary bond or notary bond filing fee with their notary applications. Notaries without bond shall otherwise meet the general requirements of Government Code, Chapter 406, including but not limited to, maintaining a notary record book and taking the official oath.

(b) This subchapter shall be applicable only to a state department, commission, board, institution, court, or institution of higher education or soil conservation district of the state. This subchapter does not apply to other political subdivisions of the state.

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#### **RULE §252.503 Notaries Without Bond--Application Process**

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(a) Applicants shall complete the Secretary of State (SOS) form 2301-NB and the SORM-201 and provide it to the employing agency for submission to the Office.

(b) The agency shall submit to the office:

(1) the original SOS form 2301-NB;

(2) the original SORM-203; and

(3) an inter-agency transfer voucher (ITV) payable to the Secretary of State. The employee's name shall appear in the descriptive legal text (DLT). The ITV shall constitute acceptable proof of the applicant's state-employment status, to be verifiable through the employing agency at any time.

(c) The Office shall review and forward the approved applications consisting of the SOS form 2301-NB and the ITV to the Secretary of State for final processing.

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#### **RULE §252.505 Agency Duties**

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(a) The agency shall provide a stamp to the notary upon which "Notary without Bond" is affixed. Information for ordering the stamp is available on the Office's website or by contacting the Bonds and Insurance Section of the Office. A notary without bond may not use a stamp unless the stamp contains the additional line reading "Notary without Bond". Notaries without bond shall use this stamp on all documents notarized pursuant to their official state duties. The stamp shall comply with all additional notary stamp requirements of the Secretary of State.



## STATUTORY REQUIREMENTS

(b) Agencies shall require notaries without bond to attend a notary training class, either provided internally or externally. Information concerning notary training is available on the Office's website or by contacting the Bonds and Insurance Section of the Office.

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### **RULE §252.507**

#### **Notification Requirements Upon Transfer or Termination of Notaries Without Bond**

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(a) Upon transfer of any notary without bond to another state agency, the new agency shall immediately notify the Bonds and Insurance Section of the Office using the SORM-204.

(b) Upon termination of any notary without bond, the terminating agency shall immediately notify the Bonds and Insurance Section of the Office using the SORM-204.

(c) Notaries without bond should voluntarily resign notary commissions immediately before termination of state employment or as soon thereafter as practicable. Immediately before termination, each agency shall notify all notaries without bond of the Office's recommendation. The stamp shall remain with the agency upon termination of state employment as state property. The original of the notary record book shall remain with the employee unless the employee resigns the commission, in which case the employee shall comply with Government Code §406.022.

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### **RULE §252.509**

#### **State Employees' Notarization of Documents Outside of State Employment**

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(a) A state employee is not prohibited from purchasing a notary bond or paying the Secretary of State's bond filing fee at personal expense. The cost of the notary bond filing fee and bond premium shall not be reimbursed by any state agency or with any other state funds. State employees who purchase a notary bond shall complete a standard SOS form 2301 form and follow the filing procedures as established by the Secretary of State.

(b) Notaries without bond who notarize documents outside of their state duties and who fail to use the "Notary without Bond" stamp shall be subject to disciplinary action by their respective agencies.

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**Source Note:** The provisions of §252.501; §252.503; §252.505; §252.507 and §252.509 adopted to be effective December 22, 2002, 27 TexReg 11780

## FREQUENTLY ASKED QUESTIONS

### 1. How do I determine if my department needs to have a notary?

The department should conduct a self-assessment of what type of notary services it uses and how often it uses these services. If the department certifies copies of non-recordable documents, takes depositions or routinely uses the services of a notary (four or more times a year), the department may need its own notary.

### 2. Do I need to attend a notary training class?

Yes. Notaries without Bond must attend a notary training class.

### 3. Is a government employee required to notarize documents for the general public?

No. The Texas Attorney General's office issued a letter opinion in 1988 indicating that a notary public who is employed by a governmental body may refuse to take acknowledgements for the general public and must refuse when doing so would interfere with the employee's discharge of his or her duties as a public employee. Tex. Atty. Gen. Op. LO-88-34.

### 4. Can a private employer restrict the notarial activities of an employee during work hours?

Yes. The Texas Attorney General's office has issued an opinion supporting the authority of a private employer to limit or prohibit the notarial activities of its employees during work hours. Tex. Atty. Gen. Op. GA-0723.

### 5. Who is eligible to be a public notary?

To be commissioned as a notary public in Texas, you must be a Texas resident at least 18 years of age who has not received a final conviction for a crime involving moral turpitude or a felony.

### 6. Is a notary public seal required?

Yes. The notary public shall authenticate all official acts with the seal of office. A notary public shall provide a seal of office that clearly shows, when embossed, stamped, or printed on a document the words "Notary Public, State of Texas" around a star of five points, the notary public's name, and the date the notary public's commission expires. The stamp for notaries without bond must show "Notary without Bond" below the bottom boarder of the notary stamp.

### 7. Do I need to keep a record book?

Yes. A Texas notary public is required to maintain a record book. This record book must be

## FREQUENTLY ASKED QUESTIONS

maintained whether or not any fees are charged for your notary public service.

8. May I take an acknowledgement over the telephone?

No. The person for whom a notarization is performed must personally appear before the notary public at the time the notarization is performed.

9. Can I complete a Form I-9, Employment Eligibility Verification on behalf of an employer?

No. Although the United States Citizenship and Immigration Services would allow a notary public to fill out Form I-9 on the behalf of an employer, Texas notaries public are not provided this authority under Texas law. Therefore, if an employer requests that you complete any portion of a Form I-9 in your capacity as a notary public, you should refuse.

10. Who may file a complaint against a notary public?

A person who has been harmed by the actions of a notary public in performing a specific notarization may file a complaint with the Secretary of State. The complaint will be reviewed to determine if the complaint states facts that, if proven, constitutes grounds for the Secretary of State to take disciplinary action.

11. What constitutes good cause for the Secretary of State to take disciplinary action against a notary public?

Good cause includes, but is not limited to, the acts identified in §406.009(d) of the Texas Government Code and in 1 Tex Admin Code §87.31.

12. How long is a notary commission valid and can I be a Texas notary if I am no longer a resident of Texas?

The term of a notary public expires four years after the date the notary public qualifies. A notary public who removes his residence from this state vacates the office.

# APPENDIX

## GLOSSARY OF TERMS

**Acknowledgment:** a notarial act whereby the signer of a document admits to an officer of the state, such as a notary public, that he signed the document; that he understands the contents of the document; and that he is aware of the consequences of executing the document by signing it. The signer also indicates to the notary that he signed the document of his own free will and was not coerced into signing a document that he did not want to sign. Acknowledgments are taken from signers of documents such as deeds, contracts and powers of attorney. By signing the document the signer agrees to the terms and conditions of the document. The signer does not have to sign the document in the presence of the notary, but the document must display the signer's original wet ink signature.

**Acknowledgment Certificate:** a written statement usually found on a document just below the signer's signature block that records and certifies the details of the acknowledgment notarial act that just took place. The certificate must contain a description of the site of the notarial act, the name(s) of the person(s) acknowledging their signing of the document, an indication that an acknowledgment notarial act was performed; and a statement that the signer personally appeared before the notary, understood the contents of the document and signed the document willingly. The notary also certifies the date that the acknowledgment was taken, signs the acknowledgment notarial certificate and places her notary seal on the certificate. By signing and sealing the acknowledgment certificate the notary certifies as an officer of the state that the acknowledgment notarial act described indeed took place.

**Administer:** to discharge the duties of an office; to give (as in the giving of an oath).

**Affiant:** the person making an affidavit.

**Affidavit:** a document in which the affiant makes a statement and swears or affirms under penalty of perjury that the information in the statement is the truth. The affidavit will contain a jurat notarial certificate. The affiant must sign the statement in the presence of the notary.

**Affirmation:** a solemn statement of truth made under penalty of perjury, equivalent by law to an oath, but without religious significance or reference to a Supreme Being.

**Affix:** to attach or impress the notary seal to a document.

**Apostille:** a certificate issued by the appropriate office of a state government (for example, the Governor, Lt. Governor, Secretary of State, Treasurer, etc. depending on the state) for purposes of authenticating a notary's signature and official status as a notary on a particular date. An apostille may be required for a notarized document that is bound for a foreign country that participates in the 1961 Hague Convention Abolishing the Requirement of Legalization for Foreign Public Documents. Obtaining an apostille is the responsibility of the document custodian, not the notary.

**Attest:** to bear witness to, to sign a document as a witness, or to affirm as true.

**Attestation Clause:** the statement a witness signs who is attesting the signature of a document as a witness.

**Attested Copy:** A copy of an original document that was made by the notary, or that the notary witnessed someone else make. Notaries in some states are allowed to make an attested copy of an original document if it is not a vital record (see below) or recordable document (see below). These states differentiate between an attested copy which may be made by a notary, and a certified copy which may be made only by the public official who has custody of the original record.

**Attorney-in-Fact:** the person authorized by a power of attorney to act on behalf of another.

**Authentication:** a process by which the designated office that issues authentication's for a state government (for example, the Governor, Lt. Governor, Secretary of State, Treasurer, etc. depending on the state) certifies the signature and official status of a notary public on a particular date.

## GLOSSARY OF TERMS

An "Apostille" or "Certificate of Authority" is attached to the notarized document, depending on the document's destination. (See the definition of Apostille for additional information.) Most commonly, authentications are requested for notarized documents that are bound for a foreign country. Obtaining an apostille or certificate of authority is the responsibility of the document custodian, not the notary.

**Bill of Sale:** a document that passes title of personal property.

**Certification Authority (CA):** a trusted party that issues computer-readable tokens, called digital certificates, that prove the identity of people using digital signatures to sign electronic documents. This is done by a certification company obtaining proof of identity similar to what notaries do when performing a notarial act. The CA then creates a digital certificate that is associated with that individual's digital signature.

**Certified Copy:** a copy of a document or record, signed and certified as a true copy by the public official who has custody of the original record (for example, the local clerk of courts or state department of vital statistics). The term "certified copy" sometimes is used interchangeably with "attested copy" (see above), even though these are two different things.

**Certify:** to authenticate or attest as being true or as represented.

**Civil Action:** a lawsuit or legal action between two or more parties.

**Codicil:** a document that modifies the terms of a will.

**Coerce, Coercion:** to make someone feel they must do something (such as sign a document) when they do not want to do so.

**Commission:** the action of each state's appointing authority to appoint someone as a notary public. The certificate issued by the appointing authority in each state to announce that appointment.

**Conveyance:** a document affecting or changing the title/ownership of real property.

**Copy Certification:** the process in which the notary takes an affidavit from the document custodian stating that the document to which the affidavit is attached is a true and complete copy of a document that is neither a vital record (see below) or publicly recordable document (see Recordable Document below).

**Credible Witness (allowed in many, but not all, states):** Where allowed, a credible witness provides a way to positively identify a signer who lacks satisfactory identification documents. The credible witness must be able to truthfully swear an oath/affirmation that: he/she personally knows the signer; the signer has no other form of acceptable identification; such identification would be difficult or impossible for the signer to obtain; and the credible witness has no connection to the underlying transaction. If one credible witness is used, he/she must be personally known to both the notary and the signer. If two credible witnesses are used, they must personally know the signer and be able to present the notary with positive identification. (State statutes differ on allowing use of one or two credible witnesses – see State Information.)

**Custodian of the Document:** the person who has charge or custody of the document. In the case of making an attested photocopy, the "document's custodian" is the person presenting the document, who may or may not be the document signer or a party named in the document.

**Deed:** a document by which a person conveys (transfers) real property.

- **Quitclaim Deed:** a deed intended to pass any title, interest, or claim which the grantor may have in the real property, but not professing that such title is valid or containing any warranty for title.

- **Warranty Deed:** a deed in which the grantor warrants or guarantees good clear title to the real property.

**Deponent:** the person giving sworn testimony in a deposition.

## GLOSSARY OF TERMS

**Deposition:** the testimony of a witness, under oath or affirmation, taken outside of court in which lawyers ask oral questions of the deponent. The testimony is usually reduced to writing and duly authenticated and is intended to be used in a trial of a civil action or a criminal prosecution.

**Digital Signature:** a specific type of electronic signature used to denote encryption technology. It is a process that provides for a secure signature on an electronic document, one that can prove the signature belongs to the person who signed it, and that can be associated with the document in such a way that any modifications to the document invalidate the signature.

**Document Custodian:** the person who has charge or custody of the document. In the case of making an attested copy, the document custodian is the person presenting the document, who may or may not be the document signer or a party named in the document.

**Electronic Notarization:** the process of performing a notarial act according to the applicable states laws on an electronic document, rather than a paper document.

**Electronic Signature:** any electronic character, symbol, letter, sound, or process that has been attached to or logically associated with an electronic record, and executed or adopted by a person with the intent that it shall be his signature.

**Escrow:** putting documents, property, or funds in the hands of an independent third party.

**Execute a Document:** to perform all formalities necessary to make a document fully effective. This is often a matter of just signing, but may also require a notarial act, delivery, or other element.

**Executor:** a person in charge of carrying out the provisions of a will.

**Free Act and Deed:** sometimes found in acknowledgment notarial certificates (see Acknowledgment Certificate above) to indicate that the signer was not coerced (see Coerce, Coercion above) into signing the document.

**Grantee:** a person (usually the buyer) who receives the deed of real property from the grantor.

**Grantor:** a person (usually the seller) who transfers a deed of real property to the grantee.

**Guardian:** a person in charge of a minor and/or their property.

**Identification Document:** in the event a notary does not personally know (see Personally Known below) the signer, the notary may accept an identification document that is deemed acceptable by the state notary law.

**Instrument:** this may be a written document, or an electronic document. As used in notarial law and practice, an instrument is a document that requires a signature and a notarial act to be fully executed.

**Jurat:** the written notarial certificate found on an affidavit, application or other document, indicating that the signer swore or affirmed to the notary under penalty of perjury that the information in the document is the truth. It also certifies that the signer signed the document in the presence of the notary on the date indicated in the jurat.

**L.S. (locus sigilli):** “the location where the seal is placed” in Latin.

**Lien:** a legal right or security attached to real estate or personal property until the payment of some debt, obligation, or duty.

**Malfeasance:** the doing of an act which a person should not do at all.

**Misfeasance:** the improper doing of an act which a person might do lawfully.

**Mortgage on Real Property:** a document creating a lien on a property.

**Negligence:** the failure to use such care as a reasonably prudent and careful person would use under similar circumstances.

**Notarial Act:** an official act that a notary public is authorized to perform by statute.

## GLOSSARY OF TERMS

**Notarial Certificate:** a written statement signed and sealed by the notary public certifying the facts of the notarial act performed immediately prior to filling out the notarial certificate.

**Oath:** any form of attestation or pledge by which a person signifies that he/she is bound in conscience and out of a sense of responsibility to a Supreme Being to the truthfulness of some statement. Willingly swearing to untrue statements constitutes perjury.

**Original Document:** for purposes of performing a notarial act (over a paper document), an original document is one that contains the signer's wet-ink signature (see Original Signature) or that will be signed by the signer in the presence of the notary. An original electronic document is that to which the signer has affixed his/her electronic signature.

**Original Signature:** a signature subscribed (signed) directly onto the (paper) document in ink (wet-ink) by the person who is named on the document. In contrast, a faxed document that already displays a signature does not display an original signature, since the signature on the faxed document is a facsimile. An original electronic signature is an electronic sound, symbol or process that is affixed to an electronic document by the signer, with the intent of executing the document.

**Perjury:** making a false statement under oath or affirmation. Perjury is a crime punishable by a fine and/or prison term.

**Personally Known:** refers to knowing a person for a period of time and under circumstances which leave you no doubt as to that person's true identity.

**Power of Attorney (POA):** a document authorizing a person to act as another's agent or representative. (see Attorney-in-Fact above and Principal below)

**Principal:** the person who signs the power of attorney to allow the attorney-in-fact to have certain powers to act on behalf of the principal.

**Proof:** a declaration made by a subscribing witness usually stating that he/she witnessed the signature of the signer of the document.

**Protest:** a formal declaration made by a notary declaring a default in payment on a promissory note.

**Reasonable Care:** the degree of care which a person of ordinary prudence and intelligence would exercise in the same circumstances. Failure to exercise such care is negligence.

**Recordable Document:** a document that the recording authority (clerk of the county court, for example) is authorized to record, usually by state statute. Certified copies of a recordable document may not be made by a notary public. A certified copy of a recordable document must be obtained from the recording authority.

**Representative Capacity:** having the authority to act for and on behalf of a person, corporation, partnership, trust, or other entity as:

- An authorized officer, agent, or partner;
- A public officer, personal representative, or guardian;
- An attorney-in-fact for a principal;
- An authorized representative or in any other capacity recited in the instrument.

**S.S. (scilicet):** "to wit, namely" in Latin. Archaic term generally used to indicate the exact location of the performance of a notarial act. "S.S." is usually found near the venue (see below) on a notarial certificate.

**Statute:** a law established by legislation.

**Statute of Limitations:** a law that sets a time limit on initiating criminal prosecution or a civil action.

**Subpoena:** a writ that compels a person to testify in a proceeding.

**Subscribe:** to place one's signature on a document, either as the signer of the document or as a witness to the signer's signature.

**Swear:** to take an oath.

**Testator:** the person making a will.



## GLOSSARY OF TERMS

**Venue:** the location where the notarial act takes place, usually stated in the following format at the beginning of the notarial certificate:

**State of** \_\_\_\_\_

**County of** \_\_\_\_\_

**Vital Record:** an original document held by a state agency (or sometimes also held by the county of record) having to do with the birth, marriage, divorce, or death of an individual. Some states will include adoption documents and codicils made to correct mistakes on an original record as vital records. A certified copy of a vital record must be obtained from the agency that holds the original vital record. A notary may not certify a copy of a vital record.

**Will:** an instrument by which a person makes a disposition of his or her property to take effect after his or her death.

**Witness:** to observe the execution of, as that of an instrument, or to sign one's name to an instrument, to authenticate it (attest it).

## SAMPLE FORMS

“Personalized Seal” in the following examples means a seal containing the words "Notary Public, State of Texas" around a star of five points, the notary public's name, and the date the notary public's commission expires.

### ACKNOWLEDGMENTS

#### **I. Form for Ordinary Certificate of Acknowledgment**

State of Texas

County of \_\_\_\_\_

Before me, (insert the name and character of the officer), on this day personally appeared \_\_\_\_\_, known to me (or proved to me on the oath of \_\_\_\_\_ or through (description of identity card or other document) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this \_\_\_\_\_ day of \_\_\_\_\_, (year).

(Personalized Seal) Notary Public's Signature

#### **II. Short Forms**

##### **A. For a natural person acting in his/her own right:**

State of Texas

County of \_\_\_\_\_

This instrument was acknowledged before me on (date) by (name or names of person or persons acknowledging).

(Personalized Seal) Notary Public's Signature

## SAMPLE FORMS

**B. For a natural person as principal acting by attorney-in-fact:**

State of Texas

County of \_\_\_\_\_

This instrument was acknowledged before me on (date) by (name of attorney-in-fact) as attorney-in-fact on behalf of (name of principal).

(Personalized Seal) Notary Public's Signature

**C. For a partnership acting by one or more partners:**

State of Texas

County of \_\_\_\_\_

This instrument was acknowledged before me on (date) by (name of acknowledging partner or partners), partner(s) on behalf of (name of partnership), a partnership.

(Personalized Seal) Notary Public's Signature

**D. For a corporation:**

State of Texas

County of \_\_\_\_\_

This instrument was acknowledged before me on (date) by (name of officer), (title of officer) of (name of corporation acknowledging), a (state of incorporation) corporation, on behalf of said corporation.

(Personalized Seal) Notary Public's Signature

## SAMPLE FORMS

### **E. For a public officer, trustee, executor, administrator, guardian, or other representative:**

State of Texas  
County of \_\_\_\_\_

This instrument was acknowledged before me on (date) by (name of representative) as (title of representative) of (name of entity or person represented).

(Personalized Seal) Notary Public's Signature

### **F. Form of Certificate for Proof by Witness**

State of Texas  
County of \_\_\_\_\_

Before me, (insert the name and character of the officer), on this day personally appeared \_\_\_\_\_, known to me (or proved to me on the oath of \_\_\_\_\_), to be the person whose name is subscribed as a witness to the foregoing instrument of writing, and after being duly sworn by me stated on oath that he saw \_\_\_\_\_, the grantor or person who executed the foregoing instrument, subscribe the same (or that the grantor or person who executed such instrument of writing acknowledged in his presence that he had executed the same for the purposes and consideration therein expressed), and that he had signed the same as a witness at the request of the grantor (or person who executed the same.)

Given under my hand and seal of office this \_\_\_\_\_ day of \_\_\_\_\_, (year).

(Personalized Seal) Notary Public's Signature

# SAMPLE FORMS

## JURAT

State of Texas

County of \_\_\_\_\_

Sworn to and subscribed before me on the \_\_\_\_\_ day of \_\_\_\_\_, (year), by (name of signer).

(Personalized Seal) Notary Public's Signature

## VERIFICATIONS

### Form 1:

State of Texas

County of \_\_\_\_\_

\_\_\_\_\_, personally appeared before me, and being first duly sworn declared that he/she signed this application in the capacity designated, if any, and further states that he/she has read the above application and the statements therein contained are true.

(Personalized Seal) Notary Public's Signature

### Form 2

State of Texas

County of \_\_\_\_\_

Before me, a notary public, on this day personally appeared \_\_\_\_\_, known to me to be the person whose name is subscribed to the foregoing document and, being by me first duly sworn, declared that the statements therein contained are true and correct.

(Personalized Seal) Notary Public's Signature

## SAMPLE FORMS

### OATH OR AFFIRMATION

State of Texas  
County of \_\_\_\_\_

I, (affiant), do solemnly swear (or affirm), that I will faithfully execute the duties of the office of \_\_\_\_\_ of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State, so help me God.

Signature of Affiant

Sworn to and subscribed before me by (affiant) on this \_\_\_\_\_ day of \_\_\_\_\_, (year).

(Personalized Seal) Notary Public's Signature

### DEPOSITION

#### **Certificate to Deposition Upon Written Questions**

State of Texas  
County of \_\_\_\_\_

(Plaintiff) v. (Defendant)  
) In the \_\_\_\_\_ Court  
) of \_\_\_\_\_ County, Texas  
) Cause No. \_\_\_\_\_

I hereby certify that the foregoing answers of \_\_\_\_\_, the witness forenamed, were signed and sworn to before me on (date), by said witness.

(Personalized Seal) Notary Public's Signature

## SAMPLE FORMS

### PROTESTS

**(Insert bill or note or copy thereof)**

United States of America  
State of Texas  
County of \_\_\_\_\_

Be it known that on the \_\_\_\_\_ day of \_\_\_\_\_, (year), at the request of (name), of \_\_\_\_\_, I, (notary public's name), a notary public duly commissioned and sworn, residing in \_\_\_\_\_ County, Texas, did present the original (instrument), hereto attached, for \$ \_\_\_\_\_, with accrued interest thereon of \$ \_\_\_\_\_, dated \_\_\_\_\_, and demanded payment (or acceptance) thereof, which was refused.

Whereupon I, at the request of the aforesaid \_\_\_\_\_, did protest, and by these presents do protest, as well against the drawer, maker, endorsers, and acceptors of said instruments as against all others whom it may concern, for exchange, costs, charges, damages, and interest already incurred and hereinafter to be incurred by reason of non-payment thereof. I further certify that on (date), notice in writing of the foregoing presentment, demand, refusal and protest was given by (persons and status) by depositing notices thereof in the post office at \_\_\_\_\_, Texas, postage paid, directed as follows: \_\_\_\_\_. I further certify that notices were left as follows:

Notice left for \_\_\_\_\_ at \_\_\_\_\_ Notice left  
for \_\_\_\_\_ at \_\_\_\_\_

Each of the named places the reputed place of residence of the person for whom the notice was left.

In testimony whereof I have hereunto set my hand and affixed my seal of office at \_\_\_\_\_, Texas, on \_\_\_\_\_ day of \_\_\_\_\_, (year).

(Personalized Seal) Notary Public's Signature

## SAMPLE FORMS

### **CERTIFIED COPY OF A NOTARIAL RECORD**

State of Texas  
County of \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_, (year), I certify, pursuant to Tex. Gov't Code §406.014(c), that the preceding or attached document is a true, exact, complete, and unaltered copy made by me of (description of notarial record), the original of which is held in my custody as a notarial record.

(Personalized Seal) Notary Public's Signature

### **CERTIFIED COPY OF A NON-RECORDABLE DOCUMENT**

State of Texas  
County of \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_, (year), I certify that the preceding or attached document, is a true, exact, complete, and unaltered copy made by me of (description of document), presented to me by the document's custodian, \_\_\_\_\_, and that, to the best of my knowledge, the photocopied document is neither a public record nor a publicly recordable document, certified copies of which are available from an official source other than a notary.

(Personalized Seal) Notary Public's Signature