

NV1 - What is a Notary

0:00

Hello and welcome to the Texas Secretary of State's Notary Public Training video series.

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In this lesson, you will learn the necessary steps to become a traditional Texas notary public.

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We will cover what is a notary public's role and how they serve the public.

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What are the rules and laws that govern a notary and the required materials a notary must have to perform their duties.

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Let's begin by asking ourselves, what is a notary public?

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A notary public is a public servant and an officer of the state.

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Each notary public serves as an official of integrity, appointed by the state to serve the public as an impartial witness in performing a variety of fraud deterrent acts related to the signing of important documents.

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All Texas notaries are expected to follow the rules and laws set by the state while exercising personal and professional discretion.

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Notaries are governed primarily by the Texas Government Code chapter 406, the Texas Administrative Code Chapter 87, and the Texas Civil Practice and Remedies Code Chapter 121.

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You may want to research this information on the Texas Secretary of State's website.

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Now let's discuss the qualification requirements to become a Texas notary public.

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To be commissioned as a notary public in the state of Texas, you must be 18 years or older, a resident of the State of Texas, not have been convicted of a felony or a crime involving moral turpitude, and have passed the Texas Secretary of State's education requirement.

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Before moving forward, let's clear up some frequently asked questions.

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When I applied to become a notary public, do I have to have a Texas driver's license or identification card?

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No, any state issued driver's license or identification cards are accepted.

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What is a crime involving moral turpitude?

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A crime involving moral turpitude includes the Commission of a crime involving dishonesty, fraud, deliberate violence, moral depravity, or other crimes that reflect negatively on the applicant's honesty, trustworthiness, or fitness as a notary public.

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Crimes involving moral turpitude can be wide-ranging from Class A or B misdemeanors to felony charges that have not been set aside or for which a pardon or certificate of restoration of rights has not been granted.

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As required by Texas Government Code Chapter 406, a person appointed and commissioned as a notary public must not have been convicted of a felony or a crime involving moral turpitude.

2:58

A conviction for a felony or crime involving moral turpitude is disqualifying, regardless of how long ago the conviction occurred.

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If you have questions about whether you are disqualified from serving as a Texas notary public, you may wish to contact a private attorney.

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If a notary public is reapplying to continue their notary Commission, the renewing notary must meet all eligibility and qualification requirements as stated previously at the time of their renewal.

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If the Secretary of State discovers at any time that an applicant or a commissioned notary is not eligible to serve as a notary public, we must reject their notary application or revoke the Notary Commission.

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Upon becoming a Texas Notary public, you will be issued A notary public Commission.

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You must also obtain A notary public seal or stamp and a notary record book.

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The Secretary of State's Office will issue you a notary public Commission with your commissioned name and term of office.

4:07

You must execute the oath of office on the bottom of the notary public's Commission before performing any notarial duties or acting as a notary public.

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The oath shall be signed and sworn to or affirmed by you in the presence of a notary public or other person authorized to administer oaths in this state.

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You cannot execute your own oath of office.

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Receiving your Commission confirmed your approval of becoming a Texas Notary Public.

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Your Notary public Commission should be kept with you at all times when performing your notary public duties.

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Please do not return your Commission to our office.

4:48

You will need to obtain a notary public seal or stamp that shows your name as reflected on your Notary public Commission, the date your Commission expires, and your Notary public identification number.

5:01

Your notary public seal must 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.

5:15

The seal may be circular, not more than two inches in diameter, or rectangular, not more than one inch in width and 2 1/2 inches in length.

5:26

Your seal must have a serrated or milled edge border.

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A seal must be affixed by a seal press or stamp that embosses or prints your seal legibly, even when reproduced under photographic methods.

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An indelible ink pad must be used when affixing your seal by stamp on an instrument.

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To authenticate your official act as a notary public, you must authenticate all official acts with your seal of office.

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Failure to utilize the correct notary seal is prohibited and may result in disciplinary action by the Secretary of State's Office.

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Notary record books are required in order to record all notarizations performed by a notary public.

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You may maintain a notary record book physically or electronically in a computer or other storage device, so long as your records from that book are adequately backed up and are capable of being printed in a tangible medium when requested.

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Your notary seal and record book can be purchased from any office supply store or, if they provide the service, through your surety bond company or agency.

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In certain instances, A notary public must update or report information to the Secretary of State's office in order to keep their Commission up to date.

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Notaries may submit this information on our Secretary of State's Notary Portal under the Manage Commission section.

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Notaries are required to update their mailing address using our website within 10 days of moving to their new address.

7:05

Please remember your mailing address and e-mail address are public information and can be found on our Notary Portal Search web page.

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If you have concerns about using your home or private address, please use a business or PO Box address instead, provided you can easily be reached by mail at that location.

7:26

If you lose, destroy, or have your notary materials stolen, you should report that information to our office using our website.

7:35

If your Notary materials are stolen, please make sure to contact your local law enforcement office to report the stolen materials before they are used for a potential fraudulent purpose.

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You may also use our Notary portal to submit a name change request on your Commission.

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To submit a name change request, you must obtain A surety bond writer from your surety agency before you submit and pay for the name change.

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All name change requests have a statutory fee that must be paid before the commissioned name will be updated.

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If your notary public Commission is lost or destroyed, you may request a replacement Commission using our portal.

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Please remember, you are not allowed to perform notarizations without an executed notary public Commission.

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Thank you for watching the Texas Secretary of State's notary public training video.

8:30

What is a notary public?

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We hope you learned about Texas Notaries Public and invite you to continue your notary education by watching more of our educational videos on our Texas Secretary of State's website.