

Form 2301-E—General Information
(Application for Appointment as Texas Notary Public by
Escrow Officer Residing in Adjacent State)

The attached form is designed to meet minimal statutory filing requirements pursuant to the relevant code provisions. *This form and the information provided are not substitutes for the advice and services of an attorney.*

Commentary

Notaries Public are governed primarily by Chapter 406 of the Texas Government Code, Chapter 121 of the Texas Civil Practice & Remedies Code, and the secretary of state's administrative rules found in Title 1, Chapter 87 of the Texas Administrative Code. Section 406.005 of the Government Code sets forth the requirements for a notary public application.

Although Texas notaries are generally required to be legal residents of Texas, § 2652.051, Texas Insurance Code, authorizes licensed Texas escrow officers, including those residing in states adjacent to Texas, to be commissioned as Texas notaries public. *This form is required for both new applications and renewals for applicants who are not legal residents of Texas but who are licensed escrow officers.* Texas notaries have statewide jurisdiction. Becoming a Texas notary will not enable you to notarize documents in your home state.

Notary commissions are effective on the date of qualification by the applicant. Commissions expire four years after issuance and may be renewed no earlier than 90 days before expiration. Even if your commission has not expired, you must surrender your notary public commission if at any point during your term, you are no longer qualified to hold the office of Texas notary public because you are no longer a licensed Texas escrow officer or you no longer reside in Texas or an adjacent state.

Instructions for Form

- **Identifying Information:** You must enter your name exactly as you intend to sign documents as a notary public. Your commission will be issued in the name on the application.

The disclosure of your social security number is mandatory under Section 406.005(a), Government Code. It will be used only to maintain the accuracy of the secretary of state's records. The secretary of state will redact the social security number prior to providing a copy of this form in response to a public information request and will disclose the number only when required by law.

A document on file with the secretary of state is a public record subject to public access and disclosure. When providing address information, use a business or post office box address rather than a residence if privacy concerns are an issue.

Provide your email address for faster, electronic return of your commission. If an email address is provided, you will not receive materials by mail.

- **Statements Relating To Qualification:** By signing the application, the applicant swears to meeting the qualification requirements for the office of notary public. A notary public commissioned under § 2652.051, Texas Insurance Code, must be at least 18 years of age, be a licensed Texas escrow officer, and meet the criminal history requirements of § 406.004, Texas Government Code.

When reporting criminal history on this form, you must disclose findings of guilt from any jurisdiction, including state and federal courts, military tribunals, and jurisdictions outside the U.S., regardless of whether the case has been appealed. Class C misdemeanors need not be disclosed. If you are unsure of the class of a crime or whether you were found guilty, disclose the crime and explain the circumstances.

Applications are subject to background investigations. *If a background investigation reveals crimes (other than a Class C misdemeanor) not disclosed on your application, denial or revocation of your commission may result.*

- **Notary Public Surety Bond:** A notary public must secure a \$10,000 surety bond. An authorized person for the surety company providing the bond must sign in the space provided. To obtain the signature, take the form to an insurance agency or bonding company for completion, *unless it is preprinted with the name and address of an insurance agency/surety company. If it is preprinted, return it to the agency specified on the bond for completion.* Only a bond written by a company licensed in Texas to issue fidelity and surety bonds will be accepted.

Check with the surety company for the premium rate it will charge for the bond.

- **Attachments:** The following items *must* be included with the application: (1) attachments regarding criminal convictions, if any; and (2) filing fee of \$21.

- **Payment and Delivery Instructions:** The filing fee for a new or renewal application is **\$21**. Fees may be paid by personal checks, money orders, LegalEase debit cards or American Express, Discover, MasterCard, and Visa credit cards. Checks or money orders must be payable to the secretary of state through a U.S. bank or financial institution. Fees paid by credit card are subject to a statutorily authorized convenience fee of 2.7 percent of the total fees.

The completed form, along with the filing fee and any attachments, may be mailed to the Notary Public Unit, P.O. Box 13375, Austin, Texas 78711-3375 or delivered to the James Earl Rudder Office Building, 1019 Brazos, Austin, Texas 78701. The secretary of state will issue a notary commission upon filing of a completed, qualified application.

Submit to:
SECRETARY OF STATE
Notary Public Unit
P O Box 13375
Austin, TX 78711-3375
512-463-5705
Filing Fee: \$21



APPLICATION FOR
APPOINTMENT AS TEXAS
NOTARY PUBLIC BY ESCROW
OFFICER RESIDING IN
ADJACENT STATE

Identifying Information

Name to be used as notary public: Social Security No.:
Last First Middle Suffix

Mailing Address: Residence County/State:
Street City State Zip

Email address for return of commission (optional):
Provide your email address for faster, electronic return of your commission. If an email address is provided, you will not receive materials by mail.

Date of Birth: / / Driver's License or Identification No.: Issuing State:

Is this an application for renewal? Yes No If YES, current commission expiration date: / /

An application for renewal may only be submitted within the 90 days before expiration of a current commission.

Statements Relating To Qualification

I, the above-named applicant, am at least 18 years of age and a licensed Texas escrow officer.

License Number: Expiration Date: / /

Select one of the following:

- A. I have been found guilty of a crime other than a class C misdemeanor. Applicants selecting this option must attach the following for each crime: (1) copies of court order and sentence, and papers pertaining to release from probation; and (2) a statement of (i) the nature, circumstances, date, and location, and (ii) whether the case is on appeal.
B. I have never been found guilty of a crime other than a class C misdemeanor.
C. I have never been found guilty of a crime.

Notary Public Surety Bond

KNOW ALL PERSONS BY THESE PRESENTS:

That we, the above-named applicant, as principal, and, as surety, a corporation duly licensed to do business in the state of Texas, are held and firmly bound unto the governor of the state of Texas and to his/her successors in office, in the sum of TEN THOUSAND DOLLARS for the payment of which, well and truly be made we bind ourselves, our heirs, executors and administrators jointly and severally. As a condition of this bond, the above-named principal shall faithfully perform all duties of the office of notary public. BOND NUMBER:

Agency Name: Address: Street City State Zip

Date:

Signature of authorized person for surety

Statement of Officer

I, the above-named applicant, do solemnly swear (or affirm) that I have not directly or indirectly paid, offered, promised to pay, contributed, or promised to contribute any money or thing of value, or promised any public office or employment for the giving or withholding of a vote at the election at which I was elected or as a reward to secure my appointment or confirmation, whichever the case may be, so help me God.

Execution

I declare under penalty of perjury that the facts in the foregoing Statement of Officer are true. I further certify that the information provided in and with this Application is true and correct and that I am not disqualified by law or any other reason from holding the office of notary public. I agree to be bound by the terms and conditions of the incorporated surety bond.

Date:

Signature of Applicant (sign in name given above to be used as notary public)