



**Angelo State University**  
**Operating Policy and Procedure**

**OP 14.10:** Notary Appointments

**ORIGIN**

**DATE:** September 1, 2007

**LAST**

**REVIEW:** August 25, 2011

**PURPOSE:** The purpose of this Operating Policy/Procedure (OP) is to establish an orderly method to apply for an appointment to serve as a notary public when such services are required by ASU or a particular department.

**REVIEW:** This OP will be reviewed in July of odd-numbered years by the director of environmental, health, safety, and risk management with recommended revisions forwarded through the vice presidents to the president by August 15 of the same year.

**POLICY/PROCEDURE:**

**1. General**

- a. As of September 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 state provides defense and indemnification to a state employee for damages, attorney's fees, and court costs adjudged against them when the damages are based on an act or omission in the course and scope of the person's employment (Civil Practice and Remedies Code Section 104.001).
- b. To be eligible for appointment as a Texas notary public, a person shall be at least 18 years of age and a resident of the state of Texas. In addition, the applicant must not have been convicted of a felony or crime of moral turpitude that has not been dismissed or discharged by law.
- c. Answers to frequently asked questions regarding the duties of a notary can be found on the Texas Secretary of State Web page.  
(<http://www.sos.state.tx.us/statdoc/faqs2300.shtml>).

Please note: If you are currently commissioned as a notary public, you should not submit a new application. Please wait until you are within 90 days of the expiration date of your current commission before submitting a renewal application.

## 2. Process for New or Renewal of State Employee's Notary Commission without Bond

- a. Complete the special application, *Application for Appointment as a Texas Notary Public without Bond* (SORM Form #2301-NB), for state employees who will not be providing a notary bond. This form can be completed online at [http://www.sorm.state.tx.us/Risk\\_Management/Bonds\\_and\\_Insurance/notary\\_for\\_ms.php](http://www.sorm.state.tx.us/Risk_Management/Bonds_and_Insurance/notary_for_ms.php) (A sample is provided in Attachment A).
- b. Read and complete the *State Employee Notary Acknowledgement Form* (SORM Form #203). This form can be found online at [http://www.sorm.state.tx.us/Risk\\_Management/Bonds\\_and\\_Insurance/notary\\_for\\_ms.php](http://www.sorm.state.tx.us/Risk_Management/Bonds_and_Insurance/notary_for_ms.php). (A sample is provided in Attachment B).
- c. Send the following (all three items must be received at one time) to: Texas Tech University System, Office of Risk Management, Box 42003, Lubbock, Texas 79409-2003.
  - Original completed application;
  - Original completed acknowledgement form; and
  - Proof of employment

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

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

Please anticipate a minimum of thirty (30) days to process the application.

## 3. Notary Stamp

- a. 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.
- b. The stamp may be purchased at a local rubber stamp or office supply store or through the statewide rubber stamp contract as follows:
  - Rubber stamp vender, Rodzina Industries, Inc., contract number 615-N1
  - Self-inking stamp (615-77-48-2104) must have the required statutory notary information (615-77-55-5412) along with the addition of another line (615-77-55-5495) that reads "Notary without Bond."
  - Cost of this stamp is \$8.95 each.

#### 4. Other

- a. If the notary's name changes before his/her commission's expiration date, the Application for Change of Name for State Employee/Bond Exempt Texas Notary Public (SORM Form #2305(A)) should be completed. This form can be found online at [http://www.sorm.state.tx.us/Risk\\_Management/Bonds\\_and\\_Insurance/notary\\_for\\_ms.php](http://www.sorm.state.tx.us/Risk_Management/Bonds_and_Insurance/notary_for_ms.php). Forward the original Application for Change of Name for State Employee/Bond Exempt Texas Notary Public, along with \$10 fee payable to the Notary Public Unit / Secretary of States'
- b. For more information regarding notary publics, please refer to Texas Administrative Code, title 28, Part 4, Chapter 252, Subchapter E.