



TEXAS TECH UNIVERSITY™

Operating Policy and Procedure

OP 62.02: Notary Appointments

DATE: May 1, 2017

PURPOSE: The purpose of this Operating Policy/Procedure (OP) is to establish institutional policy for notary public appointments when such services are required by Texas Tech University or a particular department.

REVIEW: This OP will be reviewed in February of odd-numbered years by the Managing Director of Accounting Services and the Managing Director of the Office of Risk Management with substantive revisions forwarded to the Assistant Vice President and Controller and the Vice President for Administration and Finance and Chief Financial Officer.

POLICY/PROCEDURE

1. General

- a. 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.
- b. Answers to frequently asked questions regarding the responsibilities and duties of a notary can be found on the Texas Secretary of State website (<http://www.sos.state.tx.us/statdoc/faqs2300.shtml>).
- c. 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 (House Bill 1203). All other notary regulations must still be followed.
- d. The state of Texas provides defense and indemnification to state employees 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).
- e. The information in this OP was taken from the Texas Secretary of State website (<http://www.sos.state.tx.us/>) and the State Office of Risk Management website (<http://www.sorm.state.tx.us/>). Any changes in statutory requirements will be posted on such websites and supersede this OP.

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- No 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/2301-N.pdf (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/insurance-services/forms-for-texas-client-agencies> (Attachment B).
- c. Send the following (all three items must be received at one time) to: State Office of Risk Management, Bonds and Insurance Section, P.O. Box 13777, Austin, TX 78711-3777.
 - (1) Original completed application;
 - (2) Original completed acknowledgement form; and
 - (3) 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) If paying from state appropriated funds (Banner funds 11-12), a copy of an interagency transaction voucher (ITV) verifying the pre-payment, transfer of the applicable filing fee (found at <http://www.sorm.state.tx.us/insurance-services/forms-for-texas-client-agencies>) (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) If paying from non-appropriated funds, a state agency/university check for the applicable fee (found at <http://www.sorm.state.tx.us/insurance-services/forms-for-texas-client-agencies>), payable to the Secretary of State.
- d. Please anticipate a minimum of 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 through normal procurement protocol:
 - (1) Self-inking stamp must have the required statutory notary information along with the addition of another line that reads "Notary without Bond."

4. Other

- a. If the notary's name changes before his/her commission's expiration date, the *Application for Change of Name of Texas Notary Public Without Bond* (SORM Form 2305-NB) should be

completed. This form can be found online at http://www.sorm.state.tx.us/Risk_Management/Bonds_and_Insurance/2305_NB.pdf (Attachment C). Forward the original *Application for Change of Name of Texas Notary Public Without Bond*, along with the applicable fee payable to the State Office of Risk Management, Bonds and Insurance Section, P.O. Box 13777, Austin, TX 78711-3777.

- b. For more information regarding notary publics, please refer to Texas Administrative Code, title 28, Part 4, Chapter 252, Subchapter E.

[Attachment A: Application for Appointment as a Texas Notary Public without Bond \(SORM Form #2301-NB\)](#)

[Attachment B: State Employee Notary Acknowledgement Form \(SORM Form #203\)](#)

[Attachment C: Application for Change of Name of Notary Public Without Bond \(SORM Form #2305-NB\)](#)