



CITY OF HOUSTON

Administrative Procedure

Subject: **Notaries Public Appointments and Reappointments**

A.P. No:

2-13 Revised

Effective Date:

December 5, 2014

1. AUTHORITY

- 1.1 Texas Government Code Chapter 406, Subchapter A and Chapter 2, Article XVI, Section 2-504 of the City of Houston Code of Ordinances.

2. PURPOSE

- 2.1 To establish a policy and procedure for the appointment and reappointment of City employees as Designated Notaries Public for City related business.

3. OBJECTIVE

- 3.1 To identify department employees who because of job related necessity are required to be empowered to witness and certify documents and to take affidavits and depositions on behalf of the City of Houston.
- 3.2 To establish a procedure for the appointment and reappointment of City employees as Designated Notary Publics for City related business.

4. DEFINITIONS

- 4.1 Appointment - The approval by the Secretary of State of an application for appointment as a Notary Public for the State of Texas and the approval by the Director of Administration and Regulatory Affairs (ARA) as outlined herein.
- 4.2 Bond - An insurance contract with a solvent surety company, which guarantees the faithful performance of duty of the Designated Notary Public, as required by State law.
- 4.3 Bonding Fee - A fee charged by the surety company and paid by the City for providing the executed Notary Public bond.
- 4.4 Department Director – The director of a City department or the director's designee.
- 4.5 Designated Notary Public - An employee of the City of Houston who has been designated by the Secretary of State as a Notary Public, approved by the Department Director and approved by the Director of ARA to notarize documents related to City business and to take affidavits and depositions for City related business.
- 4.6 Filing Fee - A fee charged by the Secretary of State and paid by the City for an employee to become a Notary Public.

Approved:

Quinn D. Parker

Date Approved:

12/5/2014

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- 4.7 Notary Public – An individual who is legally authorized to witness and certify documents and to take affidavits and depositions.
- 4.8 Reappointment - The approval by the Secretary of State of an application for continuing an appointment as a Notary Public for the State of Texas and the approval by the Director of ARA as outlined herein.

5. SCOPE

- 5.1 This procedure is applicable to all City Departments requesting the appointment or reappointment of one or more departmental employees to serve as department Designated Notaries Public.

6. RESPONSIBILITIES

- 6.1 The Department Director may designate one or more employees, if necessary, to handle departmental notary requests. The Department Director is responsible for forwarding a list of designated employees to ARA, Insurance Management Division.
- 6.2 The Department Director is responsible for requesting approval of departmental employees to serve as Designated Notaries Public, justifying the need for notary services, and notifying ARA, Insurance Management Division of any change in the employment status of an employee approved for notary status. Any change in the notary designation status of an employee who is also a Designated Notary Public shall be reported to ARA within ten (10) days of such a change.
- 6.3 The Director of ARA is responsible for approving a Department Director’s request for a Designated Notary Public and for payment of filing and bonding fees associated with this designation. Approved fees will be charged back to the appropriate department and/or fund.
- 6.4 An employee who is approved as a Designated Notary Public for City related business is responsible for complying with the provisions outlined in this procedure and with the state laws governing a Notary Public (Government Code Chapter 406).

7. PROCEDURES

- 7.1 The Department Director shall submit the City’s Application for Appointment or Reappointment as a Designated Notary Public (Appendix - Form A) and the Application for Appointment as Texas Notary Public to ARA, Insurance Management Division.

<https://webservices.sos.state.tx.us/forms/2301.doc>

Requests shall be submitted for appointments and reappointments. Requests for reappointments will not be automatically approved.

- 7.2 The Director of ARA shall review and process the applications. Electronic notification will be provided to the requesting Department Director of the approval or disapproval of an application for appointment or reappointment. The criteria for approval of an employee to serve as a Designated Notary Public will be based upon job related functions of the applicant.

- 7.3 A Designated Notary Public shall maintain a record book of all the notarizations performed in accordance with state law.
- 7.4 Record books maintained by a Designated Notary Public shall be subject to audit by ARA.
- 7.5 All notary services provided during normal business must be related to City business. An employee who fails to comply with this provision of the policy may be subject to disciplinary action.
- 7.6 The Director of ARA shall forward a list of department employees who are authorized to serve as Designated Notaries Public annually to each Department Director. The Department Director shall review the list and advise ARA, Insurance Management Division of any changes in the employee's status (termination, transfer or a change in job duties).

8. APPENDIX

- 8.1 Form A - Application for Appointment or Reappointment as a Designated Notary Public.

Form A
Application for Appointment or Reappointment
as a Designated Notary Public

APPENDIX FORM A

APPLICATION FOR APPOINTMENT OR REAPPOINTMENT AS A DESIGNATED NOTARY PUBLIC

INSTRUCTION: This application for appointment or reappointment of an employee as a Designated Notary Public for the City of Houston must be completed for each employee, typewritten and approved by the Department Director or designee. **This original application form must be submitted to ARA, Insurance Management Division.**

TYPE OF REQUEST:

- Appointment**
- Reappointment**

1. Department/Division: _____
 2. Name of Employee: _____
(Last) (First) (MI)
 3. Social Security Number: _____ - _____ - _____ Employee No.: _____
 4. Classification: _____
 5. Work Address: _____
 6. Telephone Number of Employee: _____
 7. Name of Dept. Contact: _____ Phone Number _____
-

**JUSTIFICATION FOR DESIGNATION
(At least 3 justifications are required)**

- 1.
- 2.
- 3.

Signature of Department Director /Designee

Date



- Appointment /Reappointment Approved
- Appointment /Reappointment Denied

Director of Administration and Regulatory Affairs/Designee

Date