



## **Notary Beware: Texas Adopts Criminal Penalties for Noncompliance with Notary Obligations**

In recent years, I have assisted employers navigating complaints against internal notaries for improperly verifying signatures. The situations were nearly identical. A male employee persuaded the in-house notary to verify the employee's spouse's signature on a financial transaction without the spouse's presence or even verbal approval. You know what happens next. Employer received a subpoena in the divorce action and implications that the employer participated in the notary's bad choice.

Neither notary intended harm nor knew of suspected malintent by the employee who obtained the ill-gotten favor. In the past, the notary need not worry. Until September 1, 2025, the notary walked away unscathed. The Secretary of State would send an investigation notice, and the notary could turn in their license. Nearly the end of story.

Not so now. The roughly 484,000 Texas notaries public face a Class A misdemeanor if they notarize a document without the personal appearance of the signatory. Translation: potential county jail time and fines up to \$4,000. This law came through Senate Bill 693, signed into law during the 89th Legislative Session, and effective September 1, 2025.

I only learned of it recently and found very little publication of the law. Admittedly, I do not read TexasNotary.com or National Notary Blog. I discovered the law when helping someone through a situation. It struck me that many of our clients have on-staff notaries who might also not know of the law.

My advice to employers: First, adopt a policy for employee-notaries that informs them of the law and requires their compliance. Notaries asked to violate the rule should immediately report the matter to management. Second, employers might consider precluding employees from utilizing co-worker notaries for anything other than work matters.

Interestingly, Texas appears to be one of only a few states with criminal punishment for notaries who violate their duties. Texas joins North Carolina, Georgia, Florida, Hawaii, and Pennsylvania.

I hope you enjoyed this newsletter and encourage you to read my prior newsletters at [www.employment-matters.com](http://www.employment-matters.com).

**For further information on these developments, please contact [Mark J. Levine](#).**