

BILL ANALYSIS

Senate Research Center

H.B. 242
By: Thompson (Ellis)
Jurisprudence
4-22-97
Committee Report (Amended)

DIGEST

Currently, the law makes no provision for persons who are physically unable to sign or make a mark on a document to acknowledge that document. H.B. 242 sets forth requirements for signing a document for an individual with a disability.

PURPOSE

As proposed, H.B. 242 sets forth requirements for signing a document for an individual with a disability.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 406A, Government Code, by adding Section 406.0165, as follows:

Sec. 406.0165. SIGNING DOCUMENT FOR INDIVIDUAL WITH DISABILITY. Sets forth requirements for signing a document for an individual with a disability. Sets forth duties of a notary under this section. Provides that a signature under this section is effective as the signature of the individual on whose behalf the signature was made for any purpose. Authorizes a bona fide purchaser to rely on the signature of the notary as evidence of the individual's consent to execution of the document. Defines "disability."

SECTION 2. Emergency clause.
Effective date: upon passage.

SUMMARY OF COMMITTEE CHANGES

Amendment 1.

Amend SECTION 1 of the bill, by adding Subsection (d) to Section 406.0165, Government Code, to provide that "disability" means a physical impairment that impedes the ability to sign or make a mark on a document.