Governor Abbott Temporarily Suspends Certain Statutes To Allow For Appearance Before Notary Public Via Videoconference

April 9, 2020 | Austin, Texas | Press Release

Governor Greg Abbott today suspended certain statutes concerning appearance before a notary public to execute a self-proved will, a durable power of attorney, a medical power of attorney, a directive to physician, or an oath of an executor, administrator, or guardian. These suspensions temporarily allow for appearance before a notary public via videoconference when executing such documents, avoiding the need for in-person contact during the COVID-19 pandemic.

"The State of Texas is taking any action necessary to enforce social distancing and reduce the need for in-person contact throughout the COVID-19 response," said Governor Abbott. "These temporary suspensions provide flexibility in the notarization process for certain documents and ensure Texans are able to stay home as much as possible to protect themselves and others from this virus."

The following conditions will apply whenever this suspension is invoked:

- A notary public shall verify the identity of a person signing a document at the time the signature is taken by using two-way video and audio conference

technology.

- A notary public may verify identity by personal knowledge of the signing person, or by analysis based on the signing person's remote presentation of a government-issued identification credential, including a passport or driver's license, that contains the signature and a photograph of the person.
- The signing person shall transmit by fax or electronic means a legible copy of the signed document to the notary public, who may notarize the transmitted copy and then transmit the notarized copy back to the signing person by fax or electronic means, at which point the notarization is valid.

This suspension will remain in effect until terminated by the Office of the Governor or until the March 13, 2020 disaster declaration is lifted or expires. Documents executed while this suspension is in effect, and in accordance with its terms, will remain valid after the termination of this suspension.

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