

By: Cortez

H.B. No. 460

A BILL TO BE ENTITLED

AN ACT

relating to authorizing the county clerk in certain counties to conduct a marriage ceremony and collect a related fee.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 2.202(a), Family Code, is amended to read as follows:

(a) The following persons are authorized to conduct a marriage ceremony:

(1) a licensed or ordained Christian minister or priest;

(2) a Jewish rabbi;

(3) a person who is an officer of a religious organization and who is authorized by the organization to conduct a marriage ceremony; ~~and~~

(4) a justice of the supreme court, judge of the court of criminal appeals, justice of the courts of appeals, judge of the district, county, and probate courts, judge of the county courts at law, judge of the courts of domestic relations, judge of the juvenile courts, retired justice or judge of those courts, justice of the peace, retired justice of the peace, judge of a municipal court, or judge or magistrate of a federal court of this state; and

(5) in a county with a population of 1.3 million or more, the county clerk and any deputy clerk appointed by the clerk.

SECTION 2. Section 51.402, Government Code, is amended by

adding Subsection (a-1) to read as follows:

(a-1) In a county to which Section 2.202(a)(5), Family Code, applies, the county clerk and any deputy clerk appointed by the clerk may conduct a marriage ceremony.

SECTION 3. Subchapter G, Chapter 51, Government Code, is amended by adding Section 51.6045 to read as follows:

Sec. 51.6045. MARRIAGE CEREMONY FEE. A clerk or deputy clerk who conducts a marriage ceremony under Section 51.402(a-1) shall collect a \$25 fee for conducting the ceremony. The clerk or deputy clerk shall deposit the fee in the county treasury to be used by the county only to fund charitable organizations that:

(1) assist or provide care for victims of family violence or of child abuse or neglect; or

(2) provide family violence prevention services.

SECTION 4. The changes in law made by this Act apply only to a marriage ceremony that is conducted on or after the effective date of this Act. A marriage ceremony conducted before the effective date of this Act is governed by the law in effect on the date the ceremony was conducted, and the former law is continued in effect for that purpose.

SECTION 5. This Act takes effect September 1, 2013.