

SENATE AMENDMENTS

2nd Printing

By: Springer, Frank, King of Hemphill,
Phillips, VanDeaver

H.B. No. 555

A BILL TO BE ENTITLED

AN ACT

relating to an additional fee for issuing a marriage license to applicants who are not residents of this state.

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

SECTION 1. Section 118.011(b), Local Government Code, as effective until September 1, 2019, is amended to read as follows:

(b) The county clerk may set and collect the following fee from any person:

(1) Returned Check (Sec. 118.0215) not less than \$15 or more than \$30

(2) Records Management and Preservation Fee (Sec. 118.0216) not more than \$10

(3) Mental Health Background Check for License to Carry a Handgun (Sec. 118.0217) not more than \$2

(4) Marriage License for Out-of-State Applicants (Sec. 118.018) \$100

SECTION 2. Section 118.011(b), Local Government Code, as effective September 1, 2019, is amended to read as follows:

(b) The county clerk may set and collect the following fee from any person:

(1) Returned Check (Sec. 118.0215) not less than \$15 or more than \$30

(2) Records Management and Preservation Fee (Sec.

1 118.0216) not more
2 than \$5

3 (3) Mental Health Background Check for License to
4 Carry a Handgun (Sec. 118.0217) not more than \$2

5 (4) Marriage License for Out-of-State Applicants
6 (Sec. 118.018) \$100

7 SECTION 3. Section 118.018, Local Government Code, is
8 amended by amending Subsection (b-1) and adding Subsection (d) to
9 read as follows:

10 (b-1) The county clerk shall issue a marriage license
11 without collecting a marriage license fee from an applicant who:

12 (1) completes a premarital education course described
13 by Section 2.013, Family Code; ~~and~~

14 (2) provides to the county clerk a premarital
15 education course completion certificate indicating completion of
16 the premarital education course not more than one year before the
17 date the marriage license application is filed with the clerk; and

18 (3) provides proof satisfactory to the county clerk
19 that the applicant is a resident of this state.

20 (d) If neither applicant for a marriage license provides
21 proof satisfactory to the county clerk that the applicant is a
22 resident of this state, the county clerk may collect an additional
23 fee of \$100 for issuing the marriage license.

24 SECTION 4. The change in law made by this Act applies only
25 to a marriage license issued on or after January 1, 2018. A
26 marriage license issued before January 1, 2018, is governed by the
27 law in effect immediately before the effective date of this Act, and

1 the former law is continued in effect for that purpose.

2 SECTION 5. This Act takes effect immediately if it receives
3 a vote of two-thirds of all the members elected to each house, as
4 provided by Section 39, Article III, Texas Constitution. If this
5 Act does not receive the vote necessary for immediate effect, this
6 Act takes effect September 1, 2017.

ADOPTED

V V
MAY 22 2017

FLOOR AMENDMENT NO. 1

Lotay Spaw
Secretary of the Senate

BY: *Roger P. Hyler*

1 Amend H.B. 555 (senate committee report) by inserting the
2 following appropriately numbered SECTIONS and renumbering
3 subsequent SECTIONS of the bill accordingly:

4 SECTION __. Section 2.009, Family Code, is amended by
5 adding Subsection (e) to read as follows:

6 (e) A license issued by a county clerk under this section
7 must identify the county in which the license is issued but may
8 not specify the name of the county clerk.

9 SECTION __. Section 194.0011(a), Health and Safety Code,
10 is amended to read as follows:

11 (a) The executive commissioner by rule shall prescribe the
12 format and content of the department form used for the marriage
13 license application. The form:

14 (1) may not require that the name of the county clerk
15 appear on the application; and

16 (2) must require identification of the county in
17 which the application is submitted.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 23, 2017

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB555 by Springer (Relating to an additional fee for issuing a marriage license to applicants who are not residents of this state.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

The bill would amend the Local Government Code to allow counties to collect an additional fee for marriage licenses where neither applicant is a resident of the state. It would amend the Health and Safety Code to make certain changes to the form of marriage licenses.

According to the Office of Court Administration and the Department of State Health Services, the bill would have no significant fiscal impact to the state.

The bill would take effect immediately if it receives a vote of two-thirds of the members of each house. If the bill does not receive the vote necessary for immediate effect, it would take effect September 1, 2017.

Local Government Impact

According to the Comptroller and the Department of State Health Services, the fiscal impact on local governments cannot be estimated.

According to Guadalupe County, the bill would have no fiscal impact.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 304 Comptroller of Public Accounts, 529 Health and Human Services Commission, 537 State Health Services, Department of

LBB Staff: UP, GP, AG, JGA, GG

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 11, 2017

TO: Honorable Joan Huffman, Chair, Senate Committee on State Affairs

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB555 by Springer (Relating to an additional fee for issuing a marriage license to applicants who are not residents of this state.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend the Local Government Code to allow counties to collect an additional fee for marriage licenses where neither applicant is a resident of the state.

According to the Office of Court Administration and the Department of State Health Services, the bill would have no significant fiscal impact to the state.

The bill would take effect immediately if it receives a vote of two-thirds of the members of each house. If the bill does not receive the vote necessary for immediate effect, it would take effect September 1, 2017.

Local Government Impact

According to the Comptroller and the Department of State Health Services, the fiscal impact on local governments cannot be estimated.

According to Guadalupe County, the bill would have no fiscal impact.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 304 Comptroller of Public Accounts, 529 Health and Human Services Commission, 537 State Health Services, Department of

LBB Staff: UP, AG, JGA, GG, GP

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

April 7, 2017

TO: Honorable Garnet Coleman, Chair, House Committee on County Affairs

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB555 by Springer (Relating to an additional fee for issuing a marriage license to applicants who are not residents of this state.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Local Government Code to allow counties to collect an additional fee for marriage licenses where neither applicant is a resident of the state.

According to the Office of Court Administration and the Department of State Health Services, the bill would have no significant fiscal impact to the state.

The bill would take effect immediately if it receives a vote of two-thirds of the members of each house. If the bill does not receive the vote necessary for immediate effect, it would take effect September 1, 2017.

Local Government Impact

According to the Comptroller and the Department of State Health Services, the fiscal impact on local governments cannot be estimated.

According to Guadalupe County, the bill would have no fiscal impact.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 304 Comptroller of Public Accounts, 529 Health and Human Services Commission, 537 State Health Services, Department of

LBB Staff: UP, JGA, GG, GP

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

March 22, 2017

TO: Honorable Garnet Coleman, Chair, House Committee on County Affairs

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB555 by Springer (Relating to an additional fee for issuing a marriage license to applicants who are not residents of this state.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Local Government Code to authorize counties to collect an additional fee for marriage licenses where neither applicant is a resident of the state.

According to the Office of Court Administration and the Department of State Health Services, the bill would have no significant fiscal impact to the state.

This bill would take effect immediately if it receives a vote of two-thirds of the members of each house. If the bill does not receive the vote necessary for immediate effect, it would take effect September 1, 2017.

Local Government Impact

According to the Comptroller and the Department of State Health Services, the fiscal impact on local governments cannot be estimated.

According to Guadalupe County, the bill would have no fiscal impact.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 304 Comptroller of Public Accounts, 529 Health and Human Services Commission, 537 State Health Services, Department of

LBB Staff: UP, JGA, GG, GP