

By: Flynn

H.B. No. 1813

A BILL TO BE ENTITLED

AN ACT

relating to issuing a marriage license and conducting a marriage ceremony.

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

SECTION 1. Subchapter A, Chapter 2, Family Code, is amended by adding Sections 2.0001 and 2.0002 to read as follows:

Sec. 2.0001. DEFINITION: CERTIFYING OFFICIAL. In this chapter, "certifying official" means a person, other than the county clerk, authorized to certify a completed application for a marriage license, administer the oath, and issue the license.

Sec. 2.0002. FUNCTIONS OF CERTIFYING OFFICIAL. (a) This section applies only to a county in which the county clerk has notified the commissioners court of a sincerely held religious belief under Section 2.603.

(b) The county clerk in the county in which an application for a marriage license is filed may delegate the duty to certify the application, administer the oath, and issue the license to a deputy clerk if the deputy clerk is willing and available to perform those functions.

(c) A judge or magistrate who is willing and available to certify an application for a marriage license, administer the oath, and issue the license may act as the certifying official in any county, regardless of whether the magistrate or judge normally has jurisdiction in that county.

1 (d) If the commissioners court of a county determines that a
2 county clerk has made a notification under Section 2.603 and an
3 insufficient number of deputy county clerks, judges, or magistrates
4 in the county are willing and available to certify an application
5 for a marriage license, administer the oath, and issue the license,
6 the commissioners court shall designate one or more county
7 employees or employ or contract with one or more individuals to
8 provide those services as a certifying official under Section
9 81.035, Local Government Code. A certifying official contracted
10 with under this subsection is not required to be an employee of the
11 county.

12 (e) A certifying official under this section is not
13 authorized to perform the functions of a county clerk other than
14 certifying a completed marriage license application, administering
15 the oath, and issuing the license.

16 SECTION 2. Section 2.001(a), Family Code, is amended to
17 read as follows:

18 (a) A man and a woman desiring to enter into a ceremonial
19 marriage must obtain a marriage license from the county clerk of any
20 county of this state or a certifying official.

21 SECTION 3. Section 2.002, Family Code, is amended to read as
22 follows:

23 Sec. 2.002. APPLICATION FOR LICENSE. Except as provided by
24 Section 2.006, each person applying for a license must:

25 (1) appear before the county clerk or certifying
26 official;

27 (2) submit the person's proof of identity and age as

1 provided by Section 2.005(b);

2 (3) provide the information applicable to that person
3 for which spaces are provided in the application for a marriage
4 license;

5 (4) mark the appropriate boxes provided in the
6 application; ~~and~~

7 (5) take the oath printed on the application
8 administered by the county clerk or certifying official; and

9 (6) sign the application [~~before the county clerk~~].

10 SECTION 4. Section 2.003, Family Code, is amended to read as
11 follows:

12 Sec. 2.003. APPLICATION FOR LICENSE BY MINOR. In addition
13 to the other requirements provided by this chapter, a person under
14 18 years of age applying for a license must provide to the county
15 clerk or certifying official:

16 (1) documents establishing, as provided by Section
17 2.102, parental consent for the person to the marriage;

18 (2) documents establishing that a prior marriage of
19 the person has been dissolved; or

20 (3) a court order granted under Section 2.103
21 authorizing the marriage of the person.

22 SECTION 5. Sections 2.004(a) and (b), Family Code, are
23 amended to read as follows:

24 (a) The county clerk or certifying official shall furnish
25 the application form as prescribed by the bureau of vital
26 statistics.

27 (b) The application form must contain:

1 (1) a heading entitled "Application for Marriage
2 License, _____ County, Texas";

3 (2) spaces for each applicant's full name, including
4 the woman's maiden surname, address, social security number, if
5 any, date of birth, and place of birth, including city, county, and
6 state;

7 (3) a space for indicating the document tendered by
8 each applicant as proof of identity and age;

9 (4) spaces for indicating whether each applicant has
10 been divorced within the last 30 days;

11 (5) printed boxes for each applicant to check "true"
12 or "false" in response to the following statement: "I am not
13 presently married and the other applicant is not presently
14 married.";

15 (6) printed boxes for each applicant to check "true"
16 or "false" in response to the following statement: "The other
17 applicant is not related to me as:

18 (A) an ancestor or descendant, by blood or
19 adoption;

20 (B) a brother or sister, of the whole or half
21 blood or by adoption;

22 (C) a parent's brother or sister, of the whole or
23 half blood or by adoption;

24 (D) a son or daughter of a brother or sister, of
25 the whole or half blood or by adoption;

26 (E) a current or former stepchild or stepparent;

27 or

1 (F) a son or daughter of a parent's brother or
2 sister, of the whole or half blood or by adoption.";

3 (7) printed boxes for each applicant to check "true"
4 or "false" in response to the following statement: "I am not
5 presently delinquent in the payment of court-ordered child
6 support.";

7 (8) a printed oath reading: "I SOLEMNLY SWEAR (OR
8 AFFIRM) THAT THE INFORMATION I HAVE GIVEN IN THIS APPLICATION IS
9 CORRECT.";

10 (9) spaces immediately below the printed oath for the
11 applicants' signatures;

12 (10) a certificate of the county clerk or certifying
13 official that:

14 (A) each applicant made the oath and the date and
15 place that the oath [~~it~~] was made; or

16 (B) an applicant did not appear personally but
17 the prerequisites for the license have been fulfilled as provided
18 by this chapter;

19 (11) spaces for indicating the date of the marriage
20 and the county in which the marriage is performed;

21 (12) a space for the address to which the applicants
22 desire the completed license to be mailed; and

23 (13) a printed box for each applicant to check
24 indicating that the applicant wishes to make a voluntary
25 contribution of \$5 to promote healthy early childhood by supporting
26 the Texas Home Visiting Program administered by the Office of Early
27 Childhood Coordination of the Health and Human Services Commission.

1 SECTION 6. Sections 2.005(a) and (b), Family Code, are
2 amended to read as follows:

3 (a) The county clerk or certifying official shall require
4 proof of the identity and age of each applicant.

5 (b) The proof must be established by:

6 (1) a driver's license or identification card issued
7 by this state, another state, or a Canadian province that is current
8 or has expired not more than two years preceding the date the
9 identification is submitted to the county clerk or certifying
10 official in connection with an application for a license;

11 (2) a United States passport;

12 (3) a current passport issued by a foreign country or a
13 consular document issued by a state or national government;

14 (4) an unexpired Certificate of United States
15 Citizenship, Certificate of Naturalization, United States Citizen
16 Identification Card, Permanent Resident Card, Temporary Resident
17 Card, Employment Authorization Card, or other document issued by
18 the federal Department of Homeland Security or the United States
19 Department of State including an identification photograph;

20 (5) an unexpired military identification card for
21 active duty, reserve, or retired personnel with an identification
22 photograph;

23 (6) an original or certified copy of a birth
24 certificate issued by a bureau of vital statistics for a state or a
25 foreign government;

26 (7) an original or certified copy of a Consular Report
27 of Birth Abroad or Certificate of Birth Abroad issued by the United

1 States Department of State;

2 (8) an original or certified copy of a court order
3 relating to the applicant's name change or sex change;

4 (9) school records from a secondary school or
5 institution of higher education;

6 (10) an insurance policy continuously valid for the
7 two years preceding the date of the application for a license;

8 (11) a motor vehicle certificate of title;

9 (12) military records, including documentation of
10 release or discharge from active duty or a draft record;

11 (13) an unexpired military dependent identification
12 card;

13 (14) an original or certified copy of the applicant's
14 marriage license or divorce decree;

15 (15) a voter registration certificate;

16 (16) a pilot's license issued by the Federal Aviation
17 Administration or another authorized agency of the United States;

18 (17) a license to carry a handgun under Subchapter H,
19 Chapter 411, Government Code;

20 (18) a temporary driving permit or a temporary
21 identification card issued by the Department of Public Safety; or

22 (19) an offender identification card issued by the
23 Texas Department of Criminal Justice.

24 SECTION 7. Section 2.006, Family Code, is amended to read as
25 follows:

26 Sec. 2.006. ABSENT APPLICANT. (a) If an applicant is
27 unable to appear personally before the county clerk or certifying

1 official to apply for a marriage license, any adult person or the
2 other applicant may apply on behalf of the absent applicant.

3 (b) The person applying on behalf of an absent applicant
4 shall provide to the clerk or certifying official:

5 (1) notwithstanding Section 132.001, Civil Practice
6 and Remedies Code, the notarized affidavit of the absent applicant
7 as provided by this subchapter;

8 (2) proof of the identity and age of the absent
9 applicant under Section 2.005(b); and

10 (3) if required because the absent applicant is a
11 person under 18 years of age, documents establishing that a prior
12 marriage has been dissolved, a court order authorizing the marriage
13 of the absent, underage applicant, or documents establishing
14 consent by a parent or a person who has legal authority to consent
15 to the marriage, including:

16 (A) proof of identity of the parent or person
17 with legal authority to consent to the marriage under Section
18 2.005(b); and

19 (B) proof that the parent or person has the legal
20 authority to consent to the marriage for the applicant under rules
21 adopted under Section 2.102(j).

22 (c) Notwithstanding Subsection (a), the clerk or certifying
23 official may not issue a marriage license for which both applicants
24 are absent unless the person applying on behalf of each absent
25 applicant provides to the clerk or certifying official an affidavit
26 of the applicant declaring that the applicant is a member of the
27 armed forces of the United States stationed in another country in

1 support of combat or another military operation.

2 SECTION 8. Section 2.007, Family Code, is amended to read as
3 follows:

4 Sec. 2.007. AFFIDAVIT OF ABSENT APPLICANT. The affidavit
5 of an absent applicant must include:

6 (1) the absent applicant's full name, including the
7 maiden surname of a female applicant, address, date of birth, place
8 of birth, including city, county, and state, citizenship, and
9 social security number, if any;

10 (2) a declaration that the absent applicant has not
11 been divorced within the last 30 days;

12 (3) a declaration that the absent applicant is:

13 (A) not presently married; or

14 (B) married to the other applicant and they wish
15 to marry again;

16 (4) a declaration that the other applicant is not
17 presently married and is not related to the absent applicant as:

18 (A) an ancestor or descendant, by blood or
19 adoption;

20 (B) a brother or sister, of the whole or half
21 blood or by adoption;

22 (C) a parent's brother or sister, of the whole or
23 half blood or by adoption;

24 (D) a son or daughter of a brother or sister, of
25 the whole or half blood or by adoption;

26 (E) a current or former stepchild or stepparent;

27 or

1 (F) a son or daughter of a parent's brother or
2 sister, of the whole or half blood or by adoption;

3 (5) a declaration that the absent applicant desires to
4 marry and the name, age, and address of the person to whom the
5 absent applicant desires to be married;

6 (6) the approximate date on which the marriage is to
7 occur;

8 (7) the reason the absent applicant is unable to
9 appear [~~personally~~] before the county clerk or certifying official
10 for the issuance of the license; and

11 (8) the appointment of any adult, other than the other
12 applicant, to act as proxy for the purpose of participating in the
13 ceremony, if the absent applicant is:

14 (A) a member of the armed forces of the United
15 States stationed in another country in support of combat or another
16 military operation; and

17 (B) unable to attend the ceremony.

18 SECTION 9. Section 2.0071, Family Code, is amended to read
19 as follows:

20 Sec. 2.0071. MAINTENANCE OF RECORDS BY CLERK RELATING TO
21 LICENSE FOR ABSENT APPLICANT. If a [A] county clerk or certifying
22 official [who] issues a marriage license for an absent applicant,
23 the clerk shall maintain the affidavit of the absent applicant and
24 the application for the marriage license in the same manner that the
25 clerk maintains an application for a marriage license submitted by
26 two applicants in person.

27 SECTION 10. Section 2.008, Family Code, is amended to read

1 as follows:

2 Sec. 2.008. CERTIFICATION [~~EXECUTION~~] OF APPLICATION [~~BY~~
3 ~~CLERK~~]. (a) The county clerk or certifying official shall:

4 (1) determine that all necessary information, other
5 than the date of the marriage ceremony, the county in which the
6 ceremony is conducted, and the name of the person who performs the
7 ceremony, is recorded on the application and that all necessary
8 documents are submitted;

9 (2) administer the oath to each applicant appearing
10 before the clerk or certifying official; and

11 (3) have each applicant appearing before the clerk or
12 certifying official sign the application.

13 (a-1) If the county clerk certifies the application, the
14 clerk shall [~~in the clerk's presence, and~~

15 [~~(4)~~] execute the clerk's certificate on the
16 application. If a certifying official certifies the application,
17 the certifying official shall:

18 (1) include on the application:

19 (A) the county in which the application was
20 submitted; and

21 (B) the name, job title, and signature of the
22 certifying official; and

23 (2) return the certified application and any
24 supporting documentation by facsimile or electronic means to the
25 county clerk for recording.

26 (a-2) If the county clerk has given notice under Section
27 2.603 that the clerk is unwilling to certify the application,

1 administer the oath, and issue the license, and the deputy clerk is
2 not performing those functions in that county, the clerk shall
3 provide the applicants with notice of any certifying officials
4 serving in that county. If no certifying official is located in the
5 county, the county clerk shall provide the applicants with contact
6 information for a certifying official designated under Section
7 81.035, Local Government Code.

8 (a-3) In the event an applicant is referred to a certifying
9 official located outside the county under Subsection (a-2), the
10 applicant may submit the completed application and all supporting
11 documentation to the applicable certifying official via facsimile
12 or electronic means. A certifying official described by this
13 subsection, on receipt of the application and supporting
14 documentation, shall:

15 (1) determine that all necessary information, other
16 than the date of the marriage ceremony, the county in which the
17 ceremony is conducted, and the name of the person who performs the
18 ceremony, is recorded on the application and that all necessary
19 documents are submitted;

20 (2) administer the oath to each applicant, which may
21 be accomplished telephonically or electronically;

22 (3) have each applicant sign the application;

23 (4) certify the application and include on the
24 application:

25 (A) the county from which the application was
26 submitted; and

27 (B) the name, job title, signature, and location

1 of the certifying official; and

2 (5) return the certified application and any
3 supporting documentation by facsimile or electronic means to the
4 county clerk in the county from which the application was submitted
5 for recording.

6 (b) A person appearing before the clerk or certifying
7 official on behalf of an absent applicant is not required to take
8 the oath on behalf of the absent applicant.

9 SECTION 11. Section 2.009, Family Code, is amended to read
10 as follows:

11 Sec. 2.009. ISSUANCE OF LICENSE. (a) Except as provided by
12 Subsections (b) and (d), the county clerk or certifying official
13 may not issue a license if either applicant:

14 (1) fails to provide the information required by this
15 subchapter;

16 (2) fails to submit proof of age and identity;

17 (3) is under 16 years of age and has not been granted a
18 court order as provided by Section 2.103;

19 (4) is 16 years of age or older but under 18 years of
20 age and has not presented at least one of the following:

21 (A) parental consent as provided by Section
22 2.102;

23 (B) documents establishing that a prior marriage
24 of the applicant has been dissolved; or

25 (C) a court order as provided by Section 2.103;

26 (5) checks "false" in response to a statement in the
27 application, except as provided by Subsection (b) or (d), or fails

1 to make a required declaration in an affidavit required of an absent
2 applicant; or

3 (6) indicates that the applicant has been divorced
4 within the last 30 days, unless:

5 (A) the applicants were divorced from each other;
6 or

7 (B) the prohibition against remarriage is waived
8 as provided by Section 6.802.

9 (b) If an applicant checks "false" in response to the
10 statement "I am not presently married and the other applicant is not
11 presently married," the county clerk or certifying official shall
12 inquire as to whether the applicant is presently married to the
13 other applicant. If the applicant states that the applicant is
14 currently married to the other applicant, the county clerk or
15 certifying official shall record that statement on the license
16 before the administration of the oath. The county clerk or
17 certifying official may not refuse to issue a license on the ground
18 that the applicants are already married to each other.

19 (c) On the proper certification [~~execution~~] of the
20 application, the clerk or certifying official, as applicable,
21 shall:

22 (1) prepare the license;

23 (2) enter on the license the names of the licensees,
24 the date that the license is issued, and, if applicable, the name of
25 the person appointed to act as proxy for an absent applicant, if
26 any;

27 (3) record the time at which the license was issued;

1 (4) give [~~distribute to~~] each applicant [~~written~~]
2 notice in writing or by electronic means of the online location of
3 the information prepared under Section 2.010 regarding acquired
4 immune deficiency syndrome (AIDS) and human immunodeficiency virus
5 (HIV) and note on the license that the notice [~~distribution~~] was
6 given [~~made~~]; and

7 (5) inform each applicant, in person or by electronic
8 means:

9 (A) that a premarital education handbook
10 developed by the child support division of the office of the
11 attorney general under Section 2.014 is available on the child
12 support division's Internet website; or

13 (B) if the applicant does not have Internet
14 access, how the applicant may obtain a paper copy of the handbook
15 described by Paragraph (A).

16 (d) The county clerk or certifying official may not refuse
17 to issue a license to an applicant on the ground that the applicant
18 checked "false" in response to the statement "I am not presently
19 delinquent in the payment of court-ordered child support."

20 SECTION 12. Section 2.012, Family Code, is amended to read
21 as follows:

22 Sec. 2.012. VIOLATION OF SUBCHAPTER [~~BY COUNTY CLERK~~];
23 PENALTY. (a) A county clerk, [or] deputy county clerk, or
24 certifying official who violates or fails to comply with this
25 subchapter commits an offense.

26 (b) An offense under this section is a Class C misdemeanor
27 punishable by a fine of [~~not less than \$200 and~~] not more than \$500.

1 SECTION 13. Section 2.101, Family Code, is amended to read
2 as follows:

3 Sec. 2.101. GENERAL AGE REQUIREMENT. Except as otherwise
4 provided by this subchapter or on a showing that a prior marriage
5 has been dissolved, a county clerk or certifying official may not
6 issue a marriage license if either applicant is under 18 years of
7 age.

8 SECTION 14. Sections 2.102(a), (b), and (c), Family Code,
9 are amended to read as follows:

10 (a) If an applicant is 16 years of age or older but under 18
11 years of age, the county clerk or certifying official shall issue
12 the license if parental consent is given as provided by this
13 section.

14 (b) Parental consent must be evidenced by a written
15 declaration on a form supplied by the county clerk or certifying
16 official in which the person consents to the marriage and swears
17 that the person is a parent (if there is no person who has the
18 court-ordered right to consent to marriage for the applicant) or a
19 person who has the court-ordered right to consent to marriage for
20 the applicant (whether an individual, authorized agency, or court).

21 (c) Except as otherwise provided by this section, consent
22 must be acknowledged before a county clerk or certifying official.
23 Consent may be acknowledged telephonically or electronically if the
24 certifying official is not in the county in which the application is
25 made.

26 SECTION 15. Section 2.202, Family Code, is amended by
27 adding Subsection (e) to read as follows:

1 (e) A person authorized to conduct a marriage ceremony under
2 this section may decline to conduct a marriage ceremony and, unless
3 the person declines to conduct the ceremony for a reason prohibited
4 under Section 2.205:

5 (1) the person is not subject to an administrative or
6 civil penalty imposed by this state, an agency of this state, or a
7 political subdivision of this state; and

8 (2) a civil cause of action may not be brought against
9 the person based on the person's refusal to conduct the marriage
10 ceremony.

11 SECTION 16. Section 2.204(b), Family Code, is amended to
12 read as follows:

13 (b) The 72-hour waiting period after issuance of a marriage
14 license does not apply to an applicant who:

15 (1) is a member of the armed forces of the United
16 States and on active duty;

17 (2) is not a member of the armed forces of the United
18 States but performs work for the United States Department of
19 Defense as a department employee or under a contract with the
20 department;

21 (3) obtains a written waiver under Subsection (c); or

22 (4) completes a premarital education course described
23 by Section 2.013, and who provides to the county clerk or certifying
24 official a premarital education course completion certificate
25 indicating completion of the premarital education course not more
26 than one year before the date the marriage license application is
27 filed with the clerk or certifying official.

1 SECTION 17. Section 2.206(a), Family Code, is amended to
2 read as follows:

3 (a) The person who conducts a marriage ceremony shall record
4 on the license the date on which and the county in which the
5 ceremony is performed and the person's name, subscribe the license,
6 and return the license to the county clerk of the county in which
7 the license was ~~who~~ issued ~~it~~ not later than the 30th day after
8 the date the ceremony is conducted.

9 SECTION 18. Section 2.207(a), Family Code, is amended to
10 read as follows:

11 (a) A person who is to conduct a marriage ceremony shall
12 determine whether the license has expired from the date of
13 certification of ~~county clerk's endorsement on~~ the license.

14 SECTION 19. Section 2.209(b), Family Code, is amended to
15 read as follows:

16 (b) If a marriage license ~~issued by a county clerk~~ is
17 lost, destroyed, or rendered useless, the clerk or applicable
18 certifying official shall issue a duplicate license.

19 SECTION 20. The heading to Subchapter G, Chapter 2, Family
20 Code, is amended to read as follows:

21 SUBCHAPTER G. FREEDOM OF RELIGION WITH RESPECT TO RECOGNIZING,
22 LICENSING, OR PERFORMING CERTAIN MARRIAGES

23 SECTION 21. Subchapter G, Chapter 2, Family Code, is
24 amended by adding Section 2.603 to read as follows:

25 Sec. 2.603. REFUSAL BY COUNTY CLERK; DESIGNATION OF
26 CERTIFYING OFFICIAL. (a) If a county clerk has a sincerely held
27 religious belief that conflicts with the clerk's ability to fulfill

1 the clerk's duties with regard to certifying an application for a
2 marriage license, administering the oath for a marriage license,
3 and issuing the license, the clerk shall notify the commissioners
4 court of the county of that belief in writing.

5 (b) A county clerk may not be required to certify an
6 application for a marriage license, administer the oath, or issue
7 the license if the clerk has made the notification under Subsection
8 (a).

9 (c) On receipt of a notification under Subsection (a), the
10 commissioners court shall:

11 (1) ensure that a deputy clerk or other certifying
12 official is available in that county to certify an application for a
13 marriage license, administer the oath, and issue the license; or

14 (2) if there is an insufficient number of certifying
15 officials willing or available in that county, provide for one or
16 more certifying officials under Section 81.035, Local Government
17 Code.

18 SECTION 22. Subchapter B, Chapter 81, Local Government
19 Code, is amended by adding Section 81.035 to read as follows:

20 Sec. 81.035. CERTIFYING OFFICIAL FOR APPLICATION FOR
21 MARRIAGE LICENSE. On receipt of a notification under Section
22 2.603, Family Code, a commissioners court shall designate one or
23 more county employees or employ or contract with one or more
24 individuals to certify applications for marriage licenses,
25 administer oaths for a marriage license, and issue licenses as
26 provided by Section 2.0002, Family Code. A certifying official
27 designated, employed, or contracted with under this section is not

1 required to be an employee of the county and is not required to be
2 located in the county.

3 SECTION 23. Sections 118.018(b-1) and (c), Local Government
4 Code, are amended to read as follows:

5 (b-1) The county clerk or certifying official shall issue a
6 marriage license without collecting a marriage license fee from an
7 applicant who:

8 (1) completes a premarital education course described
9 by Section 2.013, Family Code; and

10 (2) provides to the county clerk or certifying
11 official a premarital education course completion certificate
12 indicating completion of the premarital education course not more
13 than one year before the date the marriage license application is
14 filed with the clerk or certifying official.

15 (c) A person applying for a marriage license may make a
16 voluntary contribution of \$5 to promote healthy early childhood by
17 supporting the Texas Home Visiting Program administered by the
18 Office of Early Childhood Coordination of the Health and Human
19 Services Commission. A county clerk or certifying official shall
20 collect the additional voluntary contribution under this section.

21 SECTION 24. Section 118.022, Local Government Code, is
22 amended by adding Subsection (a-1) to read as follows:

23 (a-1) If a certifying official collects the fee for issuing
24 a marriage license, the certifying official shall remit the fee to
25 the county clerk of the county in which the application for a
26 marriage license was submitted. The county clerk shall deposit the
27 fee in the manner described by Subsection (a).

1 SECTION 25. Sections 194.0011(a), (b), and (d), Health and
2 Safety Code, are amended to read as follows:

3 (a) The executive commissioner by rule shall prescribe the
4 format and content of the department form used for the marriage
5 license application. The executive commissioner may not prescribe
6 a form that requires a county clerk to personally certify the
7 application, administer the oath for a marriage license, or issue
8 the marriage license. The executive commissioner may prescribe a
9 form that requires that a certifying official perform those
10 functions as provided by Section 2.0002, Family Code.

11 (b) The vital statistics unit shall print and distribute the
12 department forms to each county clerk throughout the state. On
13 request, the vital statistics unit shall provide the department
14 forms to a certifying official.

15 (d) A county clerk or certifying official may reproduce the
16 department form locally.

17 SECTION 26. This Act takes effect September 1, 2017.