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H.B. No. 1193

A BILL TO BE ENTITLED

AN ACT

relating to the confidentiality of certain information on a declaration of informal marriage.

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

SECTION 1. Section 2.402(b), Family Code, is amended to read as follows:

(b) The declaration form must contain:

(1) a heading entitled "Declaration and Registration of Informal Marriage, _____ County, Texas";

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

(3) a space for indicating the type of document tendered by each party as proof of age and identity;

(4) printed boxes for each party to check "true" or "false" in response to the following statement: "The other party is not related to me as:

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

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

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

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

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

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

(5) a printed box for either party to check "Yes, please keep the identifying information on this form confidential.";

(6) a printed declaration and oath reading: "I SOLEMNLY SWEAR (OR AFFIRM) THAT WE, THE UNDERSIGNED, ARE MARRIED TO EACH OTHER BY VIRTUE OF THE FOLLOWING FACTS: ON OR ABOUT (DATE) WE AGREED TO BE MARRIED, AND AFTER THAT DATE WE LIVED TOGETHER AS HUSBAND AND WIFE AND IN THIS STATE WE REPRESENTED TO OTHERS THAT WE WERE MARRIED. SINCE THE DATE OF MARRIAGE TO THE OTHER PARTY I HAVE NOT BEEN MARRIED TO ANY OTHER PERSON. THIS DECLARATION IS TRUE AND THE INFORMATION IN IT WHICH I HAVE GIVEN IS CORRECT.";

(7) [~~6~~] spaces immediately below the printed declaration and oath for the parties' signatures; and

(8) [~~7~~] a certificate of the county clerk that the parties made the declaration and oath and the place and date it was made.

SECTION 2. Subchapter E, Chapter 2, Family Code, is amended by adding Section 2.406 to read as follows:

Sec. 2.406. CONFIDENTIALITY OF CERTAIN INFORMATION. If a party to a declaration of informal marriage has checked the box described by Section 2.402(b)(5), the county clerk may not:

1 (1) publicly publish the personally identifying
2 information of either party, other than the names of the parties; or
3 (2) release a copy of the declaration that includes
4 the personally identifying information of either party, other than
5 the names of the parties, to anyone other than a party named on the
6 declaration or the party's legal representative.

7 SECTION 3. Section 194.004, Health and Safety Code, is
8 amended by amending Subsection (a) and adding Subsection (c) to
9 read as follows:

10 (a) Except as otherwise provided by this section,
11 the ~~[The]~~ vital statistics unit shall furnish on request any
12 information it has on record relating to any marriage, divorce, or
13 annulment of marriage.

14 (c) If a party to a declaration of informal marriage has
15 checked the box described by Section 2.402(b)(5), Family Code, on
16 the declaration, the vital statistics unit may not furnish any
17 personally identifying information on record relating to the
18 marriage, other than the names of the parties to the marriage, to
19 anyone other than a party to the marriage or the party's legal
20 representative.

21 SECTION 4. The changes in law made by this Act apply only to
22 a declaration of an informal marriage executed on or after the
23 effective date of this Act. A declaration executed before the
24 effective date of this Act is governed by the law in effect on the
25 date the declaration was executed, and the former law is continued
26 in effect for that purpose.

27 SECTION 5. This Act takes effect September 1, 2025.