

By: Delisi

H.B. No. 1228

A BILL TO BE ENTITLED

1 AN ACT

2 relating to persons who are authorized to conduct a marriage  
3 ceremony.

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

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

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

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

11 (2) a Jewish rabbi;

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

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

22 (5) a current member of the state legislature;

23 (6) a former member of the state legislature who held  
24 that office on or after September 1, 2005;

- 1           (7) a current statewide-elected state official; and  
2           (8) a former statewide-elected state official who held  
3 that office on or after September 1, 2005.

4           SECTION 2. Subchapter C, Chapter 572, Government Code, is  
5 amended by adding Section 572.060 to read as follows:

6           Sec. 572.060. USE OF STATE EMPLOYEES OR CERTAIN STATE  
7 PROPERTY; PROHIBITION OF REMUNERATION. (a) A person authorized to  
8 conduct a marriage ceremony under Section 2.202(a)(5) or (7),  
9 Family Code, may not use in the course of any duties associated with  
10 conducting a ceremony:

11           (1) the services of a state employee during the  
12 employee's normal working hours; or

13           (2) postage or stationery purchased with state funds.

14           (b) A person authorized to conduct a marriage ceremony under  
15 Section 2.202(a)(5) or (7), Family Code, may not receive:

16           (1) remuneration for performance of the ceremony; or

17           (2) any gift with a value greater than \$50 for  
18 performance of the ceremony.

19           SECTION 3. The change in law made by this Act applies only  
20 to a marriage between a man and a woman. Nothing in this Act may be  
21 construed to authorize a same-sex marriage.

22           SECTION 4. This Act takes effect September 1, 2005.