

By: Eiland

H.B. No. 2620

A BILL TO BE ENTITLED

AN ACT

relating to the recognition of an informal marriage.

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

SECTION 1. Section 194.001, Health and Safety Code, is amended to read as follows:

Sec. 194.001. REPORT OF MARRIAGE. ~~[(a)]~~ The county clerk shall file with the bureau of vital statistics a copy of each completed marriage license application. The clerk shall file the copy not later than the 90th day after the date of the application. The clerk may not collect a fee for filing the copy.

~~[(b) The county clerk shall file with the bureau of vital statistics a copy of each declaration of informal marriage executed under Section 1.92, Family Code. The clerk shall file the copy not later than the 90th day after the date on which the declaration is executed.]~~

SECTION 2. Section 118.011(a), Local Government Code, is amended to read as follows:

(a) A county clerk shall collect the following fees for services rendered to any person:

(1) Personal Property Records Filing (Sec. 118.012) . . . . . \$2.00

(2) Real Property Records Filing (Sec. 118.013):

for the first page . . . . . \$3.00

for each additional page or part of a page on which

1	there are visible marks of any kind . . . . .	\$2.00
2	for all or part of each 8-1/2" X 14" attachment or	
3	rider . . . . .	\$2.00
4	for each name in excess of five names that has to	
5	be indexed in all records in which the document must be	
6	indexed . . . . .	\$0.25
7	(3) Certified Papers (Sec. 118.014):	
8	for the clerk's certificate . . . . .	\$5.00
9	plus a fee for each page or part of a page . . . . .	\$1.00
10	(4) Noncertified Papers (Sec. 118.0145):	
11	for each page or part of a page . . . . .	\$1.00
12	(5) Birth or Death Certificate (Sec.	
13	118.015) . . . . .	same as state registrar
14	(6) Bond Approval (Sec. 118.016) . . . . .	
15	(7) Marriage License (Sec. 118.018) . . . . .	
16	(8) <del>[Declaration of Informal Marriage (Sec.</del>	
17	<del>118.019) . . . . .</del>	
18	<del>[(9)]</del> Brand Registration (Sec. 118.020) . . . . .	
19	<u>(9)</u> <del>[(10)]</del> Oath Administration (Sec. 118.021) . . . . .	

20 SECTION 3. Section 118.022(a), Local Government Code, is  
21 amended to read as follows:

22 (a) The county clerk shall deposit, as provided by  
23 Subchapter B, Chapter 133, \$12.50 of each fee collected for  
24 issuance of a marriage license [~~or declaration of informal~~  
25 ~~marriage~~] to be sent to the comptroller and deposited as provided by  
26 Subsection (b).

27 SECTION 4. Subchapter E, Chapter 2, Family Code, and

1 Section 118.019, Local Government Code, are repealed.

2 SECTION 5. (a) A person may not enter into an informal  
3 marriage after the effective date of this Act. An informal marriage  
4 entered into before the effective date of this Act is governed by  
5 the law in effect immediately before the effective date of this Act,  
6 and the former law is continued in effect for that purpose.

7 (b) An informal marriage entered into before the effective  
8 date of this Act may be proved as provided by Section 2.401, Family  
9 Code, as that section existed immediately before the effective date  
10 of this Act.

11 SECTION 6. This Act takes effect September 1, 2005.