

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

February 21, 2005

TO: Honorable Harold V. Dutton, Jr., Chair, House Committee on Juvenile Justice & Family Issues

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: HB895 by Goolsby (Relating to imposing a fee on a request for a waiver of the waiting period following the issuance of a marriage license.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would amend the Family Code to authorize the county clerk to collect a \$25 fee from an applicant who requests a waiver to the 72-hour required waiting period from the time a couple is issued a marriage license and when they may wed. The fee would be remitted to the county treasurer or the person who performs the county treasurer duties, and would be deposited into the county general fund for use for court-related purposes. The bill would take effect September 1, 2005 and would apply to requests for waivers that occur on or after that date.

Local Government Impact

A sampling of county clerks indicates that, on average, about one-fourth of the applicants for a marriage license apply for a waiver of the waiting period. The number varied by county from as few as 50 or 60 in Fort Bend and Williamson counties to as many as between 1,200 and 4,000 in Bexar, Collin, Harris, Hidalgo, and Travis counties. The revenue gain in these counties, if the number of waiver requests were to remain similar to current numbers, would be from \$1,250 in Fort Bend County to up to \$84,375 in Bexar County.

The revenue gain in each county would vary, but is not anticipated to be significant.

Source Agencies:

LBB Staff: JOB, DLBa