

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

**March 26, 2007**

**TO:** Honorable David Swinford, Chair, House Committee on State Affairs

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

**IN RE: HB2685** by Chisum (Relating to certain requirements for issuance of a marriage license, including an optional premarital education course.), **As Introduced**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB2685, As Introduced: an impact of \$0 through the biennium ending August 31, 2009.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

The bill would amend Chapter 2 of the Family Code and Chapter 118 of the Local Government Code to modify the rules relating to premarital education courses.

The bill would refine the content of the courses, the methods of completion, the duration of the course, the qualifications of instructors, and marriage license benefits.

The bill would require the Health and Human Services Commission (HHSC) to establish a scholarship program from monies available under the federal Temporary Assistance for Needy Families (TANF) block grant to aid applicants who are unable to pay the premarital education course fee.

Upon completion of premarital education course, applicants for a marriage license would be granted an exemption from the 72-hour waiting period and from the marriage license fee.

The bill would amend the Local Government Code to establish distribution of collected marriage fees.

This bill would take effect September 1, 2007.

**General Revenue-Related Funds, Five-Year Impact:**

<b>Fiscal Year</b>	<b>Probable Net Positive/(Negative) Impact to General Revenue Related Funds</b>
2008	\$0
2009	\$0
2010	\$0
2011	\$0
2012	\$0

## All Funds, Five-Year Impact:

Fiscal Year	Probable (Cost) from <i>FEDERAL FUNDS</i> 555	Change in Number of State Employees from FY 2007
2008	(\$2,106,724)	0.5
2009	(\$4,233,124)	1.0
2010	(\$4,265,956)	1.0
2011	(\$4,297,492)	1.0
2012	(\$4,328,596)	1.0

## Fiscal Analysis

The fiscal impact would result from 1) the requirement to provide scholarships to those unable to pay for the premarital education course; 2) the Health and Human Services Commission (HHSC) program staff required to oversee the scholarship program; and 3) the contract for determining eligibility, tracking the scholarship payments, providing information and reporting, and verification that the courses provided meet applicable standards.

The Comptroller of Public Accounts states that depending on the number of marriage license applicants who elect to take the eight-hour premarital education course, the amount of marriage license application fees collected could drop. With an increase to the marriage license fee of \$30, a decrease of any number less than 88,000 would result in a significant positive impact to state and local funds. However, since the number of marriage applicants who would elect to take the course and the number of scholarships awarded cannot be estimated, the fiscal impact cannot be estimated.

The cost to implement the bill is included above as Temporary Assistance for Needy Families (TANF) Federal Funding. However, if insufficient TANF funding is available, funding may need to be re-directed from existing programs or the program may not be implemented.

## Methodology

HHSC estimates the cost of the course to be approximately \$360 per person (8 hours x \$45 per hour). The number of low-income people who may be eligible for the scholarships is estimated as the number of marriages annually for people in poverty multiplied by a 25 percent participation rate, which would result in the following number of people requiring financial assistance for fiscal years 2008-2012: 4,769, 9,615, 9,691, 9,764 and 9,836. The estimate for fiscal year 2008 assumes a phase-in due to time required to draft rules and develop the program. Multiplying the number of people times the cost per person results in a cost of \$1.7 million in fiscal year 2008 and \$3.5 million in fiscal years 2009 through 2012.

HHSC estimates a need for one Program Specialist V per year. The cost of this FTE is assumed for one-half year in fiscal year 2008. All costs for this FTE are assumed to be less than \$80,000 per fiscal year.

The contracted services are estimated to cost approximately \$0.3 million in fiscal year 2008, and \$0.7 million in fiscal years 2009 through 2012.

## Technology

Seat management (included above) at a cost of \$905 per fiscal year would be required for the FTE at HHSC.

## Local Government Impact

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 304 Comptroller of Public Accounts, 529 Health and Human Services Commission

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