

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

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

**May 3, 2007**

**TO:** Honorable Jane Nelson, Chair, Senate Committee on Health & Human Services

**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.), **Committee Report 2nd House, Substituted**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB2685, Committee Report 2nd House, Substituted: a positive impact of \$1,554,310 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.

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

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2008	\$0
2009	\$1,554,310
2010	\$1,505,850
2011	\$1,505,090
2012	\$1,504,360

**All Funds, Five-Year Impact:**

Fiscal Year	Probable (Cost) from <i>FEDERAL FUNDS</i> 555	Probable Revenue Gain from <i>GENERAL REVENUE</i> <i>FUND</i> 1	Probable Revenue Gain from <i>CHILD</i> <i>ABUSE/NEGLECT</i> <i>OPER</i> 5084	Change in Number of State Employees from FY 2007
2008	\$0	\$0	\$0	0.0
2009	(\$1,021,097)	\$1,554,310	\$1,165,733	1.0
2010	(\$838,097)	\$1,505,850	\$1,129,388	1.0
2011	(\$835,503)	\$1,505,090	\$1,128,818	1.0
2012	(\$835,023)	\$1,504,360	\$1,128,270	1.0

**Fiscal Analysis**

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.

Upon completion of a 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 increase the fee for a marriage license from \$30 to \$60 and would establish distribution of collected marriage fees. It would direct a county that

collects a marriage license fee to deposit \$20 to the Child Abuse and Neglect Prevention Trust Fund and \$13 (\$10 increase) to the Family Trust Fund. It is assumed that local governments would retain the remaining \$27 (\$12.50 increase) per license. This would result in a revenue gain of approximately \$1.9 million per year for local governments.

The fiscal impact to Temporary Assistance for Needy Families (TANF) Federal Funding would result from 1) the requirement to maintain an internet website to register trained marriage educators; 2) the Health and Human Services Commission (HHSC) program staff required to maintain the database; and 3) the contract for providing information to the public regarding available courses and verification that the courses provided meet applicable standards. The cost to implement these portions of the bill is included above as TANF. However, if insufficient TANF funding is available, funding may need to be re-directed from existing programs or the program may not be implemented.

The bill would take effect September 1, 2008.

### **Methodology**

Internet website/database: HHSC estimates the cost of database development and deployment to be approximately \$600,000 in fiscal year 2009, with ongoing costs of \$60,000 per year. HHSC estimates a need for one Program Specialist V per year. 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.

Local Marriage License Revenue: It is assumed that of the 178,000 annual licenses issued per year, local governments would charge a fee for 155,431 licenses issued in FY 2009 (first year the bill would be effective). This figure reflects a 13 percent reduction to account for an estimate of the number of people who would choose to take the marriage education course, and thus be exempted from the fee for a marriage license.

Due to the bill's requirements for county governments to deposit \$33 to the state (\$17.50 in new revenue) for each \$60 marriage license issued, there is an expected revenue gain (\$12.50 per license) at the local level of approximately \$1.9 million per year.

### **Technology**

Seat management (included above) at a cost of \$905 starting in fiscal year 2009 would be required for the FTE at HHSC.

### **Local Government Impact**

It is anticipated that local governments would gain \$12.50 of the total per marriage license fee (\$60), resulting in a \$1.9 million per year revenue gain. This gain is not considered to be significant on a per county basis.

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

**LBB Staff:** JOB, SD, CL, KJG, PP, MB