

BILL ANALYSIS

Senate Research Center
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S.B. 1600
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Jurisprudence
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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, in Bexar County the volume of couples that want to get married and the distance needed to travel in Bexar County for a justice of the peace has created the need for more officials to conduct marriage ceremonies.

S.B. 1600 authorizes the county clerk in a county with a population of at least 1.7 million that contains a municipality in which at least 75 percent of the county's population resides, and any deputy clerk appointed by the clerk, to conduct a marriage ceremony.

The bill requires such a clerk or deputy clerk who conducts a marriage ceremony to collect a \$25 fee for conducting the ceremony and deposit the fee in the county treasury to be used by the county only to fund charitable organizations that assist or provide care for victims of family violence or of child abuse or neglect or that provide family violence prevention services.

As proposed, S.B. 1600 amends current law relating to authorizing the county clerk in certain counties to conduct a marriage ceremony and collect a related fee.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 2.202(a), Family Code, as follows:

(a) Authorizes the following persons to conduct a marriage ceremony:

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

(2) a Jewish rabbi;

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

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

(5) in a county with a population of at least 1.7 million that contains a municipality in which at least 75 percent of the county's population resides, the county clerk and any deputy clerk appointed by the clerk.

SECTION 2. Amends Section 51.402, Government Code, by adding Subsection (a-1), to authorize the county clerk and any deputy clerk appointed by the clerk to conduct a marriage ceremony in a county to which Section 2.202(a)(5), Family Code, applies.

SECTION 3. Amends Subchapter G, Chapter 51, Government Code, by adding Section 51.6045, as follows:

Sec. 51.6045. MARRIAGE CEREMONY FEE. (a) Requires a clerk or deputy clerk who conducts a marriage ceremony under Section 51.402(a-1) to collect a \$25 fee for conducting the ceremony. Requires the clerk or deputy clerk to deposit the fee in the county treasury to be used by the county only to fund:

(1) charitable organizations that assist or provide care for victims of child abuse or neglect; or

(2) family violence centers that assist or provide care for victims of family violence or offer family violence prevention services, serve the county in which the court is located, and receive state or federal funds.

(b) Defines "family violence" and "family violence center" in this section.

SECTION 4. Makes application of this Act prospective.

SECTION 5. Effective date: September 1, 2013.