

By: Whitmire

S.B. No. 1317

A BILL TO BE ENTITLED

1 AN ACT

2 relating to persons authorized to perform a marriage ceremony.

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

4 SECTION 1. Sections 2.202(a) and (b), Family Code, are
5 amended to read as follows:

6 (a) The following persons are authorized to conduct a
7 marriage ceremony:

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

10 (2) a Jewish rabbi;

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

14 (4) a justice of the supreme court, judge of the court
15 of criminal appeals, justice of the courts of appeals, judge of the
16 district, county, and probate courts, judge of the county courts at
17 law, judge of the courts of domestic relations, judge of the
18 juvenile courts, retired justice or judge of those courts, justice
19 of the peace, retired justice of the peace, judge of a municipal
20 court, ~~or~~ judge or magistrate of a federal court of this state, or
21 retired judge or magistrate of a federal court of this state.

22 (b) For the purposes of this section, a retired judge, ~~or~~
23 justice, or magistrate is:

24 (1) a former judge or justice who is vested in the

1 Judicial Retirement System of Texas Plan One or the Judicial
2 Retirement System of Texas Plan Two;

3 (2) a former judge or magistrate of a federal court in
4 this state who is fully vested in the Federal Employees Retirement
5 System under 28 U.S.C. Section 371 or 377; or

6 (3) a former judge, justice, or magistrate who has an
7 aggregate of at least 12 years of service as judge, ~~or~~ justice, or
8 magistrate of any type listed in Subsection (a)(4).

9 SECTION 2. The change in law made by this Act applies only
10 to a marriage ceremony that is conducted on or after the effective
11 date of this Act. A marriage ceremony conducted before the
12 effective date of this Act is governed by the law in effect on the
13 date the ceremony was conducted, and the former law is continued in
14 effect for that purpose.

15 SECTION 3. This Act takes effect September 1, 2013.