

By: Zaffirini

S.B. No. 1600

A BILL TO BE ENTITLED

1 AN ACT

2 relating to authorizing the county clerk in certain counties to
3 conduct a marriage ceremony and collect a related fee.

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

5 SECTION 1. Section 2.202(a), Family Code, is amended to
6 read as follows:

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

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

11 (2) a Jewish rabbi;

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

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

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

1 clerk appointed by the clerk.

2 SECTION 2. Section 51.402, Government Code, is amended by
3 adding Subsection (a-1) to read as follows:

4 (a-1) In a county to which Section 2.202(a)(5), Family Code,
5 applies, the county clerk and any deputy clerk appointed by the
6 clerk may conduct a marriage ceremony.

7 SECTION 3. Subchapter G, Chapter 51, Government Code, is
8 amended by adding Section 51.6045 to read as follows:

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

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

16 (2) family violence centers that:

17 (A) assist or provide care for victims of family
18 violence or offer family violence prevention services;

19 (B) serve the county in which the court is
20 located; and

21 (C) receive state or federal funds.

22 (b) In this section:

23 (1) "Family violence" has the meaning assigned by
24 Section 71.004, Family Code.

25 (2) "Family violence center" has the meaning assigned
26 by Section 51.002, Human Resources Code.

27 SECTION 4. The changes in law made by this Act apply only to

1 a marriage ceremony that is conducted on or after the effective date
2 of this Act. A marriage ceremony conducted before the effective
3 date of this Act is governed by the law in effect on the date the
4 ceremony was conducted, and the former law is continued in effect
5 for that purpose.

6 SECTION 5. This Act takes effect September 1, 2013.