

1-1 By: Deuell S.B. No. 1836  
 1-2 (In the Senate - Filed March 15, 2013; March 20, 2013, read  
 1-3 first time and referred to Committee on Health and Human Services;  
 1-4 April 29, 2013, reported adversely, with favorable Committee  
 1-5 Substitute by the following vote: Yeas 7, Nays 0; April 29, 2013,  
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12			X	
1-13	X			
1-14	X			
1-15			X	
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 1836 By: Deuell

1-19 A BILL TO BE ENTITLED  
 1-20 AN ACT

1-21 relating to the funding of the Texas Home Visiting Program;  
 1-22 authorizing voluntary contributions.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Subsection (b), Section 2.004, Family Code, is  
 1-25 amended to read as follows:

1-26 (b) The application form must contain:

1-27 (1) a heading entitled "Application for Marriage  
 1-28 License, \_\_\_\_\_ County, Texas";

1-29 (2) spaces for each applicant's full name, including  
 1-30 the woman's maiden surname, address, social security number, if  
 1-31 any, date of birth, and place of birth, including city, county, and  
 1-32 state;

1-33 (3) a space for indicating the document tendered by  
 1-34 each applicant as proof of identity and age;

1-35 (4) spaces for indicating whether each applicant has  
 1-36 been divorced within the last 30 days;

1-37 (5) printed boxes for each applicant to check "true"  
 1-38 or "false" in response to the following statement: "I am not  
 1-39 presently married and the other applicant is not presently  
 1-40 married.";

1-41 (6) printed boxes for each applicant to check "true"  
 1-42 or "false" in response to the following statement: "The other  
 1-43 applicant is not related to me as:

1-44 (A) an ancestor or descendant, by blood or  
 1-45 adoption;

1-46 (B) a brother or sister, of the whole or half  
 1-47 blood or by adoption;

1-48 (C) a parent's brother or sister, of the whole or  
 1-49 half blood or by adoption;

1-50 (D) a son or daughter of a brother or sister, of  
 1-51 the whole or half blood or by adoption;

1-52 (E) a current or former stepchild or stepparent;  
 1-53 or

1-54 (F) a son or daughter of a parent's brother or  
 1-55 sister, of the whole or half blood or by adoption.";

1-56 (7) printed boxes for each applicant to check "true"  
 1-57 or "false" in response to the following statement: "I am not  
 1-58 presently delinquent in the payment of court-ordered child  
 1-59 support.";

1-60 (8) a printed oath reading: "I SOLEMNLY SWEAR (OR

2-1 AFFIRM) THAT THE INFORMATION I HAVE GIVEN IN THIS APPLICATION IS  
2-2 CORRECT.";

2-3 (9) spaces immediately below the printed oath for the  
2-4 applicants' signatures;

2-5 (10) a certificate of the county clerk that:  
2-6 (A) each applicant made the oath and the date and  
2-7 place that it was made; or

2-8 (B) an applicant did not appear personally but  
2-9 the prerequisites for the license have been fulfilled as provided  
2-10 by this chapter;

2-11 (11) spaces for indicating the date of the marriage  
2-12 and the county in which the marriage is performed; ~~and~~

2-13 (12) a space for the address to which the applicants  
2-14 desire the completed license to be mailed; and

2-15 (13) a printed box for each applicant to check  
2-16 indicating that the applicant wishes to make a voluntary  
2-17 contribution of \$5 to promote healthy early childhood by supporting  
2-18 the Texas Home Visiting Program administered by the Office of Early  
2-19 Childhood Coordination of the Health and Human Services Commission.

2-20 SECTION 2. Subchapter H, Chapter 531, Government Code, is  
2-21 amended by adding Section 531.287 to read as follows:

2-22 Sec. 531.287. TEXAS HOME VISITING PROGRAM TRUST FUND.

2-23 (a) The Texas Home Visiting Program trust fund is created as a  
2-24 trust fund outside the treasury with the comptroller and shall be  
2-25 administered by the office under this section and rules adopted by  
2-26 the executive commissioner. Credits of money in the fund are not  
2-27 state funds or subject to legislative appropriation.

2-28 (b) The trust fund consists of money from voluntary  
2-29 contributions under Section 191.0048, Health and Safety Code, and  
2-30 Section 118.018, Local Government Code.

2-31 (c) Money in the fund may be spent without appropriation by  
2-32 the office only for the purpose of the Texas Home Visiting Program  
2-33 administered by the commission.

2-34 (d) Interest and income from the assets of the trust fund  
2-35 shall be credited to and deposited in the trust fund.

2-36 SECTION 3. Subchapter A, Chapter 191, Health and Safety  
2-37 Code, is amended by adding Section 191.0048 to read as follows:

2-38 Sec. 191.0048. VOLUNTARY CONTRIBUTION TO TEXAS HOME

2-39 VISITING PROGRAM. (a) A person requesting a copy or certified  
2-40 copy of a birth, marriage, or divorce record may make a voluntary  
2-41 contribution of \$5 to promote healthy early childhood by supporting  
2-42 the Texas Home Visiting Program administered by the Office of Early  
2-43 Childhood Coordination of the Health and Human Services Commission.

2-44 (b) On each paper or electronic application form for a copy  
2-45 or certified copy of a birth, marriage, or divorce record, the  
2-46 bureau of vital statistics shall include a printed box for the  
2-47 applicant to check indicating that the applicant wishes to make a  
2-48 voluntary contribution of \$5 to promote healthy early childhood by  
2-49 supporting the Texas Home Visiting Program administered by the  
2-50 Office of Early Childhood Coordination of the Health and Human  
2-51 Services Commission.

2-52 (c) Notwithstanding Section 191.0045, a local registrar or  
2-53 county clerk may collect the additional voluntary contribution  
2-54 under this section.

2-55 (d) Notwithstanding Section 191.005, the local registrar or  
2-56 county clerk who collects the voluntary contribution under this  
2-57 section shall send the voluntary contribution to the comptroller,  
2-58 who shall deposit the voluntary contribution in the Texas Home  
2-59 Visiting Program trust fund under Section 531.287, Government Code.

2-60 SECTION 4. Section 118.018, Local Government Code, is  
2-61 amended by adding Subsection (c) to read as follows:

2-62 (c) A person applying for a marriage license may make a  
2-63 voluntary contribution of \$5 to promote healthy early childhood by  
2-64 supporting the Texas Home Visiting Program administered by the  
2-65 Office of Early Childhood Coordination of the Health and Human  
2-66 Services Commission. A county clerk shall collect the additional  
2-67 voluntary contribution under this section.

2-68 SECTION 5. Section 118.022, Local Government Code, is  
2-69 amended by amending Subsection (a) and adding Subsection (d) to

3-1 read as follows:

3-2 (a) If the county clerk collects a fee for issuing a  
3-3 marriage license, the county clerk shall deposit, as provided by  
3-4 Subchapter B, Chapter 133:

3-5 (1) \$20 of each fee collected for issuing a marriage  
3-6 license or \$12.50 of each fee for recording a declaration of  
3-7 informal marriage to be sent to the comptroller and deposited as  
3-8 provided by Subsection (b); ~~and~~

3-9 (2) \$10 of each fee collected for issuing a marriage  
3-10 license to be sent to the comptroller and deposited as provided by  
3-11 Subsection (c); and

3-12 (3) if applicable, the \$5 voluntary contribution  
3-13 collected to promote healthy early childhood by supporting the  
3-14 Texas Home Visiting Program administered by the Office of Early  
3-15 Childhood Coordination of the Health and Human Services Commission  
3-16 to be sent to the comptroller and deposited as provided by  
3-17 Subsection (d).

3-18 (d) The comptroller shall deposit the money received under  
3-19 Subsection (a)(3) in the Texas Home Visiting Program trust fund  
3-20 under Section 531.287, Government Code.

3-21 SECTION 6. The change in law made by this Act applies only  
3-22 to a person who applies for a marriage license or requests a copy or  
3-23 certified copy of a birth, marriage, or divorce record on or after  
3-24 January 1, 2014.

3-25 SECTION 7. This Act takes effect immediately if it receives  
3-26 a vote of two-thirds of all the members elected to each house, as  
3-27 provided by Section 39, Article III, Texas Constitution. If this  
3-28 Act does not receive the vote necessary for immediate effect, this  
3-29 Act takes effect September 1, 2013.

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