

# SENATE AMENDMENTS

## 2<sup>nd</sup> Printing

By: Elkins

H.B. No. 984

A BILL TO BE ENTITLED

AN ACT

relating to certain information required to be provided to an applicant for a marriage license.

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

SECTION 1. Section 2.009(c), Family Code, is amended to read as follows:

(c) On the proper execution of the application, the clerk shall:

(1) prepare the license;

(2) enter on the license the names of the licensees, the date that the license is issued, and, if applicable, the name of the person appointed to act as proxy for an absent applicant, if any;

(3) record the time at which the license was issued;

(4) distribute to each applicant written notice of the online location of the information prepared under Section 2.010 regarding ~~[printed materials about]~~ acquired immune deficiency syndrome (AIDS) and human immunodeficiency virus (HIV) and note on the license that the distribution was made; and

(5) distribute to each applicant a premarital education handbook provided by the attorney general under Section 2.014 or written notice of the online location of that handbook.

SECTION 2. Section 2.010, Family Code, is amended to read as follows:

1           Sec. 2.010. AIDS INFORMATION; POSTING ON INTERNET. The  
2 ~~[Materials providing information about acquired immune deficiency~~  
3 ~~syndrome (AIDS) and human immunodeficiency virus (HIV) shall be~~  
4 ~~prepared and provided to the clerk by the Texas]~~ Department of State  
5 Health Services ~~[and]~~ shall prepare and make available to the  
6 public on its Internet website information about acquired immune  
7 deficiency syndrome (AIDS) and human immunodeficiency virus (HIV).  
8 The information must be designed to inform an applicant for a  
9 marriage license ~~[the applicants]~~ about:

10                   (1) the incidence and mode of transmission of AIDS and  
11 HIV;

12                   (2) the local availability of medical procedures,  
13 including voluntary testing, designed to show or help show whether  
14 a person has AIDS or HIV infection, antibodies to HIV, or infection  
15 with any other probable causative agent of AIDS; and

16                   (3) available and appropriate counseling services  
17 regarding AIDS and HIV infection.

18           SECTION 3. Section 2.014(c), Family Code, is amended to  
19 read as follows:

20           (c) The premarital education handbook under Subsection  
21 (b)(1) must:

22                   (1) as provided by Section 2.009(c)(5), ~~[shall]~~ be  
23 distributed to each applicant for a marriage license or made  
24 available in an electronic form on a publicly accessible Internet  
25 website; ~~[as provided by Section 2.009(c)(5)]~~ and

26                   (2) [shall] contain information on:

27                           (A) [1] conflict management;

1                    (B) [~~(2)~~] communication skills;  
2                    (C) [~~(3)~~] children                    and                    parenting  
3 responsibilities; and  
4                    (D) [~~(4)~~] financial responsibilities.

5                    SECTION 4. The changes in law made by this Act apply only to  
6 an application for a marriage license submitted to a county clerk on  
7 or after the effective date of this Act. An application for a  
8 marriage license submitted before the effective date of this Act is  
9 governed by the law in effect immediately before that date, and the  
10 former law is continued in effect for that purpose.

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

ADOPTED

MAY 22 2013

*Atty Gen*  
Secretary of the Senate

*Jean Huffman*

By: \_\_\_\_\_

H.B. No. 984

Substitute the following for H.B. No. 984:

By: *[Signature]*

C.S. H.B. No. 984

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AN ACT

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(2) enter on the license the names of the licensees, the date that the license is issued, and, if applicable, the name of the person appointed to act as proxy for an absent applicant, if any;

(3) record the time at which the license was issued;

(4) distribute to each applicant written notice of the online location of the information prepared under Section 2.010 regarding ~~[printed materials about]~~ acquired immune deficiency syndrome (AIDS) and human immunodeficiency virus (HIV) and note on the license that the distribution was made; and

(5) inform ~~[distribute to]~~ each applicant:

(A) that a premarital education handbook developed ~~[provided]~~ by the child support division of the office of the attorney general under Section 2.014 is available on the child support division's Internet website; or

1                   (B) if the applicant does not have Internet  
2 access, how the applicant may obtain a paper copy of the handbook  
3 described by Paragraph (A).

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5 follows:

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18 including voluntary testing, designed to show or help show whether  
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24 read as follows:

25           (c) The premarital education handbook under Subsection  
26 (b)(1) must:

27                   (1) as provided by Section 2.009(c)(5), ~~[shall]~~ be

1 made available [~~distributed~~] to each applicant for a marriage  
2 license in an electronic form on the Internet website of the child  
3 support division of the office of the attorney general or, for an  
4 applicant who does not have Internet access, in paper copy form; [as  
5 provided by Section 2.009(c)(5)] and

6 (2) [~~shall~~] contain information on:

7 (A) [~~(1)~~] conflict management;

8 (B) [~~(2)~~] communication skills;

9 (C) [~~(3)~~] children and parenting

10 responsibilities; and

11 (D) [~~(4)~~] financial responsibilities.

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13 an application for a marriage license submitted to a county clerk on  
14 or after the effective date of this Act. An application for a  
15 marriage license submitted before the effective date of this Act is  
16 governed by the law in effect immediately before that date, and the  
17 former law is continued in effect for that purpose.

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

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION**

**May 22, 2013**

**TO:** Honorable Joe Straus, Speaker of the House, House of Representatives

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB984** by Elkins (Relating to certain information required to be provided to an applicant for a marriage license.), **As Passed 2nd House**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Family Code as it relates to certain information required to be provided to an applicant for a marriage license. Under the provisions of the bill, the Department of State Health Services (DSHS) would be required to post AIDS/HIV information on the internet and provide paper copies for marriage license applicants without internet access. Additionally, upon receiving an application for a marriage license, the county clerk would be required to distribute to each applicant written notice of the online location of the premarital education handbook including AIDS information. Based on the analysis provided by the DSHS and the Office of Court Administration, it is assumed that the provisions of the bill could be implemented within existing resources.

**Local Government Impact**

The bill would require the county clerk to merely provide written information containing the internet location with the required HIV information. No significant fiscal impact to units of local government is anticipated.

**Source Agencies:** 212 Office of Court Administration, Texas Judicial Council, 537 State Health Services, Department of

**LBB Staff:** UP, SD, CL, CH, RB, NB, KKR

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

**FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION**

**May 20, 2013**

**TO:** Honorable Royce West, Chair, Senate Committee on Jurisprudence

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB984** by Elkins (Relating to certain information required to be provided to an applicant for a marriage license.), **Committee Report 2nd House, Substituted**

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The bill would amend the Family Code as it relates to certain information required to be provided to an applicant for a marriage license. Under the provisions of the bill, the Department of State Health Services (DSHS) would be required to post AIDS/HIV information on the internet and provide paper copies for marriage license applicants without internet access. Additionally, upon receiving an application for a marriage license, the county clerk would be required to distribute to each applicant written notice of the online location of the premarital education handbook including AIDS information. Based on the analysis provided by the DSHS and the Office of Court Administration, it is assumed that the provisions of the bill could be implemented within existing resources.

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**Source Agencies:** 212 Office of Court Administration, Texas Judicial Council, 537 State Health Services, Department of

**LBB Staff:** UP, CL, CH, RB, NB, KKR



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

**FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION**

**May 8, 2013**

**TO:** Honorable Royce West, Chair, Senate Committee on Jurisprudence

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB984** by Elkins (Relating to certain information required to be provided to an applicant for a marriage license.), **As Engrossed**

<p><b>No significant fiscal implication to the State is anticipated.</b></p>
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**Source Agencies:** 212 Office of Court Administration, Texas Judicial Council, 537 State Health Services, Department of

**LBB Staff:** UP, CL, CH, RB, NB, KKR

**LEGISLATIVE BUDGET BOARD  
Austin, Texas**

**FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION**

**March 3, 2013**

**TO:** Honorable Gary Elkins, Chair, House Committee On Technology

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB984** by Elkins (Relating to certain information required to be provided to an applicant for a marriage license.), **As Introduced**

<b>No significant fiscal implication to the State is anticipated.</b>
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The bill would amend the Family Code as it relates to certain information required to be provided to an applicant for a marriage license. Under the provisions of the bill, the Department of State Health Services (DSHS) would be required to post AIDS/HIV information on the internet. Additionally, upon receiving an application for a marriage license, the county clerk would be required to distribute to each applicant written notice of the online location of the premarital education handbook including AIDS information. Based on the analysis provided by the DSHS and the Office of Court Administration, it is assumed that the provisions of the bill could be implemented within existing resources.

**Local Government Impact**

The bill would require the county clerk to merely provide written information containing the internet location with the required HIV information. No significant fiscal impact to units of local government is anticipated.

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