

BILL ANALYSIS

C.S.H.B. 2278
By: Muñoz, Jr.
Juvenile Justice & Family Issues
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Many judges, interested parties note, are currently authorized to conduct a marriage ceremony, but other associate judges and retired associate judges are not. The parties note the irony of the situation in which a full-time associate judge, for example, despite having the authority to grant a divorce, is unable to conduct a marriage ceremony. C.S.H.B. 2278 seeks to promote fairness and equality among judges with regard to the authority to conduct marriage ceremonies.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 2278 amends the Family Code to include an associate judge of a statutory probate court, a retired associate judge of a statutory probate court, an associate judge of a county court at law, and a retired associate judge of a county court at law among the persons authorized to conduct a marriage ceremony.

EFFECTIVE DATE

September 1, 2015.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2278 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

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

- (a) The following persons are authorized to conduct a marriage ceremony:
- (1) a licensed or ordained Christian minister or priest;

HOUSE COMMITTEE SUBSTITUTE

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

- (a) The following persons are authorized 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, retired judge of a municipal court,

associate judge of a county court at law, retired associate judge of a county court at law, or judge or magistrate of a federal court of this state; and
(5) a retired judge or magistrate of a federal court of this state.

SECTION 2. This Act takes effect September 1, 2015.

- (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, retired judge of a municipal court, associate judge of a statutory probate court, retired associate judge of a statutory probate court,

associate judge of a county court at law, retired associate judge of a county court at law, or judge or magistrate of a federal court of this state; and
(5) a retired judge or magistrate of a federal court of this state.

SECTION 2. Same as introduced version.