

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION
Revision 1

May 6, 2015

TO: Honorable Byron Cook, Chair, House Committee on State Affairs

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB4105** by Bell (Relating to the issuance, enforcement, and recognition of marriage licenses and declarations of informal marriage.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would create Section 1.109, Family Code, to prohibit state or local funds from being used for licensing a same-sex marriage or a declaration of informal marriage; prohibit state or local government employees from recognizing, granting, or enforcing a same-sex marriage license or declaration of informal marriage; and prohibit state or local funds being used to enforce an order requiring the issuance or recognition of a same-sex marriage license or declaration of informal marriage.

The bill would amend Section 194.001, Health and Safety Code, to prohibit a county clerk from filing with the Department of State Health Services (DSHS), and DSHS from entering into the vital statistics system, a copy of completed marriage license or declaration of informal marriage for a same-sex couple. The bill would require DSHS to provide any submitted copies to the Office of Attorney General.

The bill would amend Section 118.018, Local Government Code, to require any county that collects a fee for issuing a marriage license for a same sex marriage to remit \$30 for each same-sex marriage license issued to the Comptroller of Public Accounts. The Comptroller of Public Accounts would deposit those funds to General Revenue. The bill would amend Section 118.019, Local Government Code, to require any county that executes a declaration of informal marriage for a same sex couple to remit \$12.50 for each same-sex informal declaration of marriage executed to the Comptroller of Public Accounts. The Comptroller of Public Accounts would deposit those funds to General Revenue.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 529 Health and Human Services Commission

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