

## **BILL ANALYSIS**

Senate Research Center  
85R19290 JSC-D

H.B. 555  
By: Springer et al. (Hughes)  
State Affairs  
5/16/2017  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Interested parties contend that the current marriage licensing and fee process was primarily intended for state residents but note that some people who are not residents of Texas travel to Texas to get their marriage licenses, which creates extra work for county clerks not covered by the current fee structure. H.B. 555 addresses this issue by providing for an additional fee for the issuance of a marriage license to applicants who are not residents of Texas.

H.B. 555 amends the Local Government Code to include as a condition that must be met for a county clerk to be required to issue a marriage license without collecting a marriage license fee that the applicant provide proof satisfactory to the county clerk that the applicant is a Texas resident. The bill authorizes the county clerk to collect an additional fee of \$100 for issuing a marriage license if neither applicant for the marriage license provides proof satisfactory to the county clerk that the applicant is a Texas resident. The bill applies only to a marriage license issued on or after January 1, 2018.

H.B. 555 amends current law relating to an additional fee for issuing a marriage license to applicants who are not residents of this state.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 118.011(b), Local Government Code, as effective until September 1, 2019, as follows:

(b) Authorizes the county clerk to set and collect certain fees from any person, including a fee of \$100 for a Marriage License for Out-of-State Applicants (Sec. 118.018 (Marriage License)).

SECTION 2. Amends Section 118.011(b), Local Government Code, as effective September 1, 2019, as follows:

(b) Authorizes the county clerk to set and collect certain fees from any person, including a fee of \$100 for a Marriage License for Out-of-State Applicants (Sec. 118.018).

SECTION 3. Amends Section 118.018, Local Government Code, by amending Subsection (b-1) and adding Subsection (d), as follows:

(b-1) Requires the county clerk to issue a marriage license without collecting a marriage license fee from an applicant who, among certain other criteria, provides proof satisfactory to the county clerk that the applicant is a resident of this state.

(d) Authorizes the county clerk, if neither applicant for a marriage license provides proof satisfactory to the county clerk that the applicant is a resident of this state, to collect an additional fee of \$100 for issuing the marriage license.

SECTION 4. Makes application of this Act prospective to January 1, 2018.

SECTION 5. Effective date: upon passage or September 1, 2017.