

BILL ANALYSIS

S.B. 1705
By: Taylor, Van
Juvenile Justice & Family Issues
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties voice numerous concerns relating to the dangers and hardships faced by a minor who enters into a marriage. S.B. 1705 seeks to address these concerns by prohibiting a person under 18 years of age from marrying unless the person has been granted a court order removing the disabilities of minority of the person for general purposes.

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

S.B. 1705 amends the Family Code to prohibit a person under 18 years of age from marrying, and makes a marriage to such a person void, unless the person has been granted by Texas or another state a court order removing the disabilities of minority of the person for general purposes. The bill repeals provisions relating to parental consent of an applicant for a marriage license who is 16 years of age or older but under 18 years of age and to a petition requesting and a court order granting a minor permission to marry. The bill changes the documents a person under 18 years of age must provide to the county clerk when applying for a marriage license from a court order granting a minor permission to marry or documents establishing such parental consent or establishing that a prior marriage of the person has been dissolved to a court order granted by Texas removing the disabilities of minority of the person for general purposes or, if the person is a nonresident minor, a certified copy of an order removing the disabilities of minority of the person for general purposes filed in the deed records of a Texas county. The bill prohibits the county clerk from issuing a license to the applicant if the applicant has not presented the required documents. The bill removes the authorization for any adult person or the other applicant to apply for a marriage license on behalf of an applicant who is under 18 years of age and unable to appear personally before the county clerk to apply for the license.

S.B. 1705 repeals Sections 2.102 and 2.103, Family Code.

EFFECTIVE DATE

September 1, 2017.