

By: Cortez

H.B. No. 818

A BILL TO BE ENTITLED

1 AN ACT

2 relating to authorizing the county clerk in certain counties to  
3 conduct a marriage ceremony and collect a related fee; authorizing  
4 a fee.

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

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

8 (a) The following persons are authorized to conduct a  
9 marriage ceremony:

10 (1) a licensed or ordained Christian minister or  
11 priest;

12 (2) a Jewish rabbi;

13 (3) a person who is an officer of a religious  
14 organization and who is authorized by the organization to conduct a  
15 marriage ceremony;

16 (4) a justice of the supreme court, judge of the court  
17 of criminal appeals, justice of the courts of appeals, judge of the  
18 district, county, and probate courts, judge of the county courts at  
19 law, judge of the courts of domestic relations, judge of the  
20 juvenile courts, retired justice or judge of those courts, justice  
21 of the peace, retired justice of the peace, judge of a municipal  
22 court, retired judge of a municipal court, associate judge of a  
23 statutory probate court, retired associate judge of a statutory  
24 probate court, associate judge of a county court at law, retired

1 associate judge of a county court at law, or judge or magistrate of  
2 a federal court of this state; ~~and~~

3 (5) a retired judge or magistrate of a federal court of  
4 this state; and

5 (6) in a county with a population of at least 1.7  
6 million that contains a municipality in which at least 75 percent of  
7 the county's population resides, the county clerk and any deputy  
8 clerk appointed by the clerk.

9 SECTION 2. Section 51.402, Government Code, is amended by  
10 adding Subsection (a-1) to read as follows:

11 (a-1) In a county to which Section 2.202(a)(6), Family Code,  
12 applies, the county clerk and any deputy clerk appointed by the  
13 clerk may conduct a marriage ceremony.

14 SECTION 3. Subchapter G, Chapter 51, Government Code, is  
15 amended by adding Section 51.6045 to read as follows:

16 Sec. 51.6045. MARRIAGE CEREMONY FEE. A clerk or deputy  
17 clerk who conducts a marriage ceremony under Section 51.402(a-1)  
18 shall collect a \$25 fee for conducting the ceremony. The clerk or  
19 deputy clerk shall deposit the fee in the county treasury to be used  
20 by the county only to fund charitable organizations that:

21 (1) assist or provide care for victims of family  
22 violence or of child abuse or neglect; or

23 (2) provide family violence prevention services.

24 SECTION 4. The changes in law made by this Act apply only to  
25 a marriage ceremony that is conducted on or after the effective date  
26 of this Act. A marriage ceremony conducted before the effective  
27 date of this Act is governed by the law in effect on the date the

1 ceremony was conducted, and the former law is continued in effect  
2 for that purpose.

3 SECTION 5. This Act takes effect September 1, 2017.