

By: Muñoz, Jr.

H.B. No. 2310

A BILL TO BE ENTITLED

AN ACT

relating to authorizing the county clerk to conduct a marriage ceremony and collect a related fee; authorizing a fee.

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

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 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

1 a federal court of this state; ~~and~~

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

4 (6) a county clerk and any deputy clerk appointed by
5 the clerk.

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

8 (a-1) A county clerk and any deputy clerk appointed by the
9 clerk may conduct a marriage ceremony.

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

12 Sec. 51.6045. MARRIAGE CEREMONY FEE. A clerk or deputy
13 clerk who conducts a marriage ceremony under Section 51.402(a-1)
14 may collect a \$25 fee for conducting the ceremony. If the clerk or
15 deputy clerk collects a fee, the clerk or deputy clerk must deposit
16 the fee in the county treasury to be used by the county only to
17 provide financial assistance to local charitable organizations for
18 a public purpose.

19 SECTION 4. The changes in law made by this Act apply only to
20 a marriage ceremony that is conducted on or after the effective date
21 of this Act. A marriage ceremony conducted before the effective
22 date of this Act is governed by the law in effect on the date the
23 ceremony was conducted, and the former law is continued in effect
24 for that purpose.

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