

**House Bill 555**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

No equivalent provision.

SECTION \_\_. Section 2.009, Family Code, is amended by adding Subsection (e) to read as follows:

(e) A license issued by a county clerk under this section must identify the county in which the license is issued but may not specify the name of the county clerk. [FA1]

No equivalent provision.

SECTION \_\_. Section 194.0011(a), Health and Safety Code, is amended to read as follows:

(a) The executive commissioner by rule shall prescribe the format and content of the department form used for the marriage license application. The form:

(1) may not require that the name of the county clerk appear on the application; and

(2) must require identification of the county in which the application is submitted. [FA1]

SECTION 1. Section 118.011(b), Local Government Code, as effective until September 1, 2019, is amended to read as follows:

(b) The county clerk may set and collect the following fee from any person:

(1) Returned Check (Sec. 118.0215) . . . . . not less than \$15 or more than \$30

(2) Records Management and Preservation Fee (Sec. 118.0216) . . . . . not more than \$10

(3) Mental Health Background Check for License to Carry a Handgun (Sec. 118.0217) . . . . . not more than \$2

(4) Marriage License for Out-of-State Applicants (Sec. 118.018) . . . . . \$100

SECTION 1. Same as House version.

SECTION 2. Section 118.011(b), Local Government Code, as effective September 1, 2019, is amended to read as follows:

SECTION 2. Same as House version.

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(b) The county clerk may set and collect the following fee from any person:

- (1) Returned Check (Sec. 118.0215) . . . . . not less than \$15 or more than \$30
- (2) Records Management and Preservation Fee (Sec. 118.0216) . . . . . not more than \$5
- (3) Mental Health Background Check for License to Carry a Handgun (Sec. 118.0217) . . . . . not more than \$2
- (4) Marriage License for Out-of-State Applicants (Sec. 118.018) . . . . . \$100

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

(b-1) The county clerk shall issue a marriage license without collecting a marriage license fee from an applicant who:

- (1) completes a premarital education course described by Section 2.013, Family Code; ~~and~~
- (2) provides to the county clerk a premarital education course completion certificate indicating completion of the premarital education course not more than one year before the date the marriage license application is filed with the clerk; and
- (3) provides proof satisfactory to the county clerk that the applicant is a resident of this state.

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

SECTION 4. The change in law made by this Act applies only to a marriage license issued on or after January 1, 2018. A marriage license issued before January 1, 2018, is governed

SECTION 3. Same as House version.

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by the law in effect immediately before the effective date of this Act, and the former law is continued in effect for that purpose.

SECTION 5. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2017.

SENATE VERSION (IE)

SECTION 5. Same as House version.

CONFERENCE