

## **BILL ANALYSIS**

C.S.H.B. 3879  
By: Ramos  
Juvenile Justice & Family Issues  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Marriage by proxy allows an individual to stand in for another person while applying for a marriage license, but it has been noted that there is no mechanism by which individuals may get married using video conferencing technology, which would ease the burdens faced by certain members of the armed forces who are deployed abroad. C.S.H.B. 3879 provides an absent applicant for a marriage license who is a member of the U.S. armed forces stationed in another country and unable to attend the ceremony an opportunity to participate in the ceremony through the use of video conference technology as an alternative to appointing a proxy for purposes of that participation.

### **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**

C.S.H.B. 3879 amends the Family Code to give an absent applicant for a marriage license who is a member of the U.S. armed forces stationed in another country in support of a military operation and unable to attend the ceremony the option of including in the applicant's affidavit a statement indicating that the applicant would prefer to participate in the ceremony through the use of video conference technology if available as an alternative to including the appointment of any adult to act as proxy for ceremony participation purposes. The bill authorizes such an absent applicant to participate in the ceremony through the use of video conference technology.

C.S.H.B. 3879 amends the Government Code to authorize an office of the justice of the peace that has video conference technology for courtroom use to make that technology available for use in a ceremony conducted by the justice of the peace presiding over the court in which the technology exists.

### **EFFECTIVE DATE**

September 1, 2019.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 3879 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee

substitute versions of the bill.

The substitute changes the statement to be included in an absent applicant's affidavit from a statement indicating that the applicant intends to participate in the marriage ceremony through the use of video conferencing technology to a statement indicating that the applicant would prefer to participate in the ceremony through the use of video conference technology if available.

The substitute changes a requirement for an office of the justice of the peace to provide video conference technology for purposes of the person's participation in the ceremony and a requirement for the technology to provide simultaneous, compressed full motion video and interactive communication of image and sound between the judge and the persons assenting to marriage with an authorization for an office of the justice of the peace to make that technology available for use in a ceremony conducted by the justice of the peace presiding over the court in which the technology exists.