

By: Ramos

H.B. No. 3879

Substitute the following for H.B. No. 3879:

By: Dutton

C.S.H.B. No. 3879

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the participation of armed forces members in a marriage
3 ceremony through video conference technology.

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

5 SECTION 1. Section 2.007, Family Code, is amended to read as
6 follows:

7 Sec. 2.007. AFFIDAVIT OF ABSENT APPLICANT. (a) The
8 affidavit of an absent applicant must include:

9 (1) the absent applicant's full name, including the
10 maiden surname of a female applicant, address, date of birth, place
11 of birth, including city, county, and state, citizenship, and
12 social security number, if any;

13 (2) a declaration that the absent applicant has not
14 been divorced within the last 30 days;

15 (3) a declaration that the absent applicant is:

16 (A) not presently married; or

17 (B) married to the other applicant and they wish
18 to marry again;

19 (4) a declaration that the other applicant is not
20 presently married and is not related to the absent applicant as:

21 (A) an ancestor or descendant, by blood or
22 adoption;

23 (B) a brother or sister, of the whole or half
24 blood or by adoption;

1 (C) a parent's brother or sister, of the whole or
2 half blood or by adoption;

3 (D) a son or daughter of a brother or sister, of
4 the whole or half blood or by adoption;

5 (E) a current or former stepchild or stepparent;
6 or

7 (F) a son or daughter of a parent's brother or
8 sister, of the whole or half blood or by adoption;

9 (5) a declaration that the absent applicant desires to
10 marry and the name, age, and address of the person to whom the
11 absent applicant desires to be married;

12 (6) the approximate date on which the marriage is to
13 occur; and

14 (7) the reason the absent applicant is unable to
15 appear personally before the county clerk for the issuance of the
16 license[~~, and~~

17 [~~(8) the appointment of any adult, other than the~~
18 ~~other applicant, to act as proxy for the purpose of participating in~~
19 ~~the ceremony, if the absent applicant is:~~

20 [~~(A) a member of the armed forces of the United~~
21 ~~States stationed in another country in support of combat or another~~
22 ~~military operation; and~~

23 [~~(B) unable to attend the ceremony].~~

24 (b) In addition to the requirements of Subsection (a), an
25 absent applicant who is a member of the armed forces of the United
26 States stationed in another country in support of combat or another
27 military operation who is unable to attend the marriage ceremony

1 authorized under Section 2.203 shall include in the applicant's
2 affidavit:

3 (1) the appointment of any adult, other than the other
4 applicant, to act as proxy for the purpose of participating in the
5 ceremony; or

6 (2) a statement indicating that the applicant would
7 prefer to participate in the ceremony through the use of video
8 conference technology if available.

9 SECTION 2. Section 2.203(b), Family Code, is amended to
10 read as follows:

11 (b) A person described by Section 2.007(b) may:

12 (1) assent to marriage by the appearance of the [a]
13 proxy appointed in the affidavit authorized by Subchapter A; or

14 (2) participate in the ceremony through the use of
15 video conference technology [if the person is:

16 [~~(1) a member of the armed forces of the United States~~
17 ~~stationed in another country in support of combat or another~~
18 ~~military operation; and~~

19 [~~(2) unable to attend the ceremony]~~.

20 SECTION 3. Subchapter C, Chapter 27, Government Code, is
21 amended by adding Section 27.062 to read as follows:

22 Sec. 27.062. VIDEO CONFERENCE TECHNOLOGY. For purposes of
23 Section 2.203(b), Family Code, an office of the justice of the peace
24 that has video conference technology for courtroom use may make
25 that technology available for use in a ceremony conducted by the
26 justice of the peace presiding over the court in which the
27 technology exists.

1 SECTION 4. This Act takes effect September 1, 2019.