

BILL ANALYSIS

Senate Research Center
88R3655 MLH-D

H.B. 907
By: Moody (Hinojosa)
State Affairs
5/5/2023
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 907 amends current law relating to persons authorized to conduct a marriage ceremony.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Sections 2.202(a) and (b), Family Code, as follows:

- (a) Provides that the following persons are authorized to conduct a marriage ceremony:
 - (1)-(2) makes no changes to these subdivisions;
 - (3) makes a nonsubstantive change to this subdivision; and
 - (4) a current, former, or retired federal judge or state judge.

Deletes existing text authorizing a justice of the Supreme Court of Texas, judge of the Texas 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 a federal court of this state and a retired judge or magistrate of a federal court of this state to conduct a marriage ceremony.

- (b) Defines "federal judge" and "state judge." Deletes existing text providing that a retired judge or justice for the purpose of Subsection (a)(4) is a former judge or justice who is vested in the Judicial Retirement System of Texas Plan One or the Judicial Retirement System of Texas Plan Two or who has an aggregate of at least 12 years of service as judge or justice of any type listed in Subsection (a)(4).

SECTION 2. Repealer: Section 2.202(b-1) (relating to the definition of "retired judge or magistrate"), Family Code.

SECTION 3. Effective date: September 1, 2023.