

## **BILL ANALYSIS**

Senate Research Center  
89R21374 AMF-F

H.B. 2240  
By: Dutton (Zaffirini)  
State Affairs  
5/23/2025  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

H.B. 2240 amends current law relating to certain void marriages.

### **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 Section 6.202(b), Family Code, as follows:

(b) Provides that the later marriage that is void under Section 6.202 (Marriage During Existence of Prior Marriage) becomes valid when the prior marriage is dissolved if, after the date of the dissolution, the parties have lived together as husband and wife and represented themselves to others as being married, unless a putative spouse did not know that the later marriage was entered into when the other party had an existing marriage, has not lived together with the other party as spouses or represented himself or herself as married since the date the putative spouse knew the later marriage was entered into when the other party had an existing marriage, and files a suit to declare the later marriage void not later than the 30th day after the date the putative spouse knew that the later marriage was entered into when the other party had an existing marriage.

SECTION 2. Amends Chapter 9, Family Code, by adding Subchapter E, as follows:

#### **SUBCHAPTER E. DECLARING A DECREE VOID**

Sec. 9.401. LACK OF JURISDICTION. (a) Provides that a decree of divorce or annulment is void if the court rendering the decree lacked jurisdiction at the time the decree was rendered.

(b) Authorizes a putative spouse to file a suit to declare a decree of divorce or annulment void under Subsection (a).

SECTION 3. Effective date: upon passage or September 1, 2025.