

House Bill 2240
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Section 6.202(b), Family Code, is amended to read as follows:

(b) The later marriage that is void under this section 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:
(1) did not know that the later marriage was entered into when the other party had an existing marriage;
(2) 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
(3) 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.

SENATE VERSION (IE)

SECTION 1. Section 6.202, Family Code, is amended by amending Subsection (b) and adding Subsection (c) to read as follows: [FA1(1)]

(b) The later marriage that is void under this section 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:
(1) did not know that the later marriage was entered into when the other party had an existing marriage;
(2) 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
(3) files a suit to declare the later marriage void not later than:
(A) 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, unless the putative spouse is a person described by Paragraph (B); or
(B) the 90th day after the date the putative spouse knew that the later marriage was entered into when the other party had an existing marriage, if the putative spouse:
(i) is serving on active duty as a member of the United States armed forces;
(ii) is a member of the Texas military forces, as defined by Section 437.001, Government Code, and:
(a) is actively deployed on federal orders outside the United States; or
(b) is on state active duty performing emergency response activities for this state; or

CONFERENCE

House Bill 2240
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

(iii) is in active service outside the United States as a foreign officer employed by the United States Department of State.

(c) Notwithstanding any other law or rule, if a putative spouse files a suit to declare the marriage void under Subsection (b)(3), a respondent spouse may file an answer on or before the 90th day after the date the respondent spouse is served if the respondent spouse:

(1) is serving on active duty as a member of the United States armed forces;

(2) is a member of the Texas military forces, as defined by Section 437.001, Government Code, and:

(A) is actively deployed on federal orders outside the United States; or

(B) is on state active duty performing emergency response activities for this state; or

(3) is in active service outside the United States as a foreign officer employed by the United States Department of State.

[FA1(2)]

SECTION 2. Chapter 9, Family Code, is amended by adding Subchapter E to read as follows:

SUBCHAPTER E. DECLARING A DECREE VOID

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

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

SECTION 3. 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

SECTION 2. Same as House version.

SECTION 3. Same as House version.

House Bill 2240
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2025.

SENATE VERSION (IE)

CONFERENCE