

CONFERENCE COMMITTEE REPORT FORM

Austin, Texas

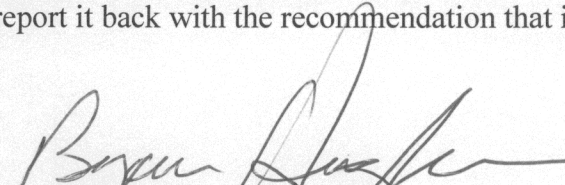
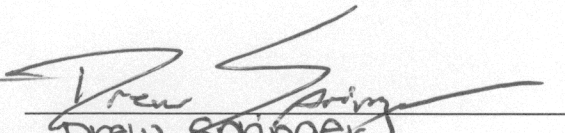
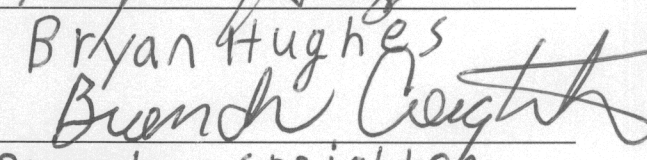
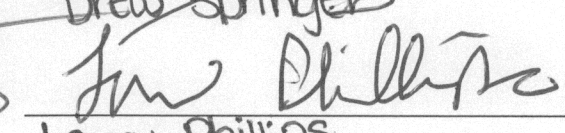
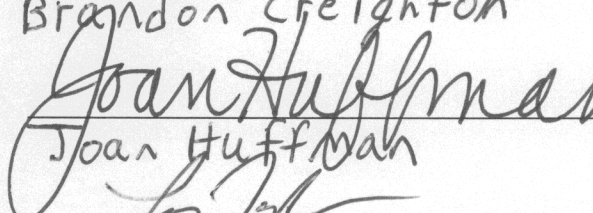
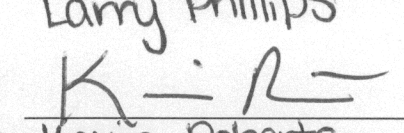
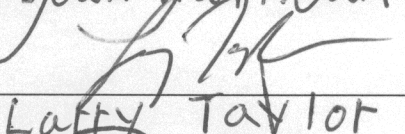
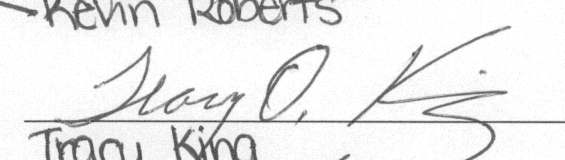
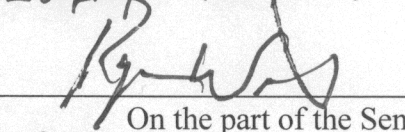
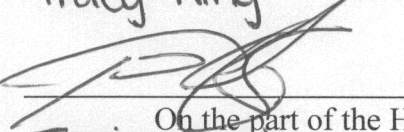
May 26th, 2017
Date

Honorable Dan Patrick
President of the Senate

Honorable Joe Straus
Speaker of the House of Representatives

Sirs:

We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on HB 555 have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

 Bryan Hughes	 Drew Springer
 Brandon Creighton	 Larry Phillips
 Joan Huffman	 Kevin Roberts
 Latty Taylor	 Tracy King
 Royce West On the part of the Senate	 Travis Clardy On the part of the House

Note to Conference Committee Clerk:

Please type the names of the members of the Conference Committee under the lines provided for signature. Those members desiring to sign the report should sign each of the six copies. Attach a copy of the Conference Committee Report and a Section by Section side by side comparison to each of the six reporting forms. The original and two copies are filed in house of origin of the bill, and three copies in the other house.

CONFERENCE COMMITTEE REPORT

3rd Printing

H.B. No. 555

A BILL TO BE ENTITLED

AN ACT

relating to an additional fee for issuing a marriage license to applicants who are not residents of this state and the form of a marriage license and application for a marriage license.

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

SECTION 1. Section 2.009, Family Code, is amended by adding Subsection (e) to read as follows:

(e) A license issued by a county clerk under this section:

(1) must identify the county in which the license is issued; and

(2) may include the name of the county clerk.

SECTION 2. Section 194.0011(a), Health and Safety Code, is amended to read as follows:

(a) The executive commissioner by rule shall prescribe the format and content of the department form used for the marriage license application. The form must:

(1) require identification of the county in which the application is submitted; and

(2) allow, but may not require, the name of the county clerk to appear on the application.

SECTION 3. Section 118.011(b), Local Government Code, as effective until September 1, 2019, is amended to read as follows:

(b) The county clerk may set and collect the following fee from any person:

- (1) Returned Check (Sec. 118.0215) not less than \$15 or more than \$30
- (2) Records Management and Preservation Fee (Sec. 118.0216) not more than \$10
- (3) Mental Health Background Check for License to Carry a Handgun (Sec. 118.0217) not more than \$2
- (4) Marriage License for Out-of-State Applicants (Sec. 118.018) \$100

SECTION 4. Section 118.011(b), Local Government Code, as effective September 1, 2019, is amended to read as follows:

(b) The county clerk may set and collect the following fee from any person:

- (1) Returned Check (Sec. 118.0215) not less than \$15 or more than \$30
- (2) Records Management and Preservation Fee (Sec. 118.0216) not more than \$5
- (3) Mental Health Background Check for License to Carry a Handgun (Sec. 118.0217) not more than \$2
- (4) Marriage License for Out-of-State Applicants (Sec. 118.018) \$100

SECTION 5. Section 118.018, Local Government Code, is amended by amending Subsection (b-1) and adding Subsection (d) to read as follows:

(b-1) The county clerk shall issue a marriage license without collecting a marriage license fee from an applicant who:

1 (1) completes a premarital education course described
2 by Section 2.013, Family Code; ~~and~~

3 (2) provides to the county clerk a premarital
4 education course completion certificate indicating completion of
5 the premarital education course not more than one year before the
6 date the marriage license application is filed with the clerk; and

7 (3) provides proof satisfactory to the county clerk
8 that the applicant is a resident of this state.

9 (d) If neither applicant for a marriage license provides
10 proof satisfactory to the county clerk that the applicant is a
11 resident of this state, the county clerk may collect an additional
12 fee of \$100 for issuing the marriage license.

13 SECTION 6. The change in law made by this Act applies only
14 to a marriage license issued on or after January 1, 2019. A
15 marriage license issued before January 1, 2019, is governed by the
16 law in effect immediately before the effective date of this Act, and
17 the former law is continued in effect for that purpose.

18 SECTION 7. This Act takes effect immediately if it receives
19 a vote of two-thirds of all the members elected to each house, as
20 provided by Section 39, Article III, Texas Constitution. If this
21 Act does not receive the vote necessary for immediate effect, this
22 Act takes effect September 1, 2017.

House Bill 555
Conference Committee Report
Section-by-Section Analysis

HOUSE VERSION

No equivalent provision.

No equivalent provision.

SECTIONS 1-3. Section 118.011(b), Local Government Code, as effective until September 1, 2019, Section 118.011(b), Local Government Code, as effective September 1, 2019, and Section 118.018, Local Government Code, are amended.

SECTION 4. Saving provision making the bill's provisions applicable to a marriage license issued on or after **January 1, 2018**.

SECTION 5. Effective date.

SENATE VERSION (IE)

SECTION __. Section 2.009, Family Code, is amended by adding Subsection (e) to read as follows:

(e) A license issued by a county clerk under this section must identify the county in which the license is issued **but may not specify** the name of the county clerk. [FA1]

SECTION __. Section 194.0011(a), Health and Safety Code, is amended to read as follows:

(a) The executive commissioner by rule shall prescribe the format and content of the department form used for the marriage license application. The form:

(1) may not require that the name of the county clerk appear on the application; and

(2) must require identification of the county in which the application is submitted. [FA1]

SECTIONS 1-3. Same as House version.

SECTION 4. Same as House version.

SECTION 5. Same as House version.

CONFERENCE

SECTION 1. Section 2.009, Family Code, is amended by adding Subsection (e) to read as follows:

(e) A license issued by a county clerk under this section:

(1) must identify the county in which the license is issued;

and

(2) may include the name of the county clerk.

SECTION 2. Same as Senate version except also requires the form used for the marriage license application to allow the county clerk's name to appear on the application.

SECTIONS 3-5. Same as House version.

SECTION 6. Same as House version except makes the bill's provisions applicable to a marriage license issued on or after **January 1, 2019**.

SECTION 7. Same as House version.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 27, 2017

TO: Honorable Dan Patrick, Lieutenant Governor, Senate
Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB555 by Springer (Relating to an additional fee for issuing a marriage license to applicants who are not residents of this state and the form of a marriage license and application for a marriage license.), **Conference Committee Report**

No significant fiscal implication to the State is anticipated.

The bill would amend the Local Government Code to allow counties to collect an additional fee for marriage licenses where neither applicant is a resident of the state. It would amend the Health and Safety Code to make certain changes to the form of marriage licenses.

According to the Office of Court Administration and the Department of State Health Services, the bill would have no significant fiscal impact to the state.

The bill would take effect immediately if it receives a vote of two-thirds of the members of each house. If the bill does not receive the vote necessary for immediate effect, it would take effect September 1, 2017.

Local Government Impact

According to the Comptroller and the Department of State Health Services, the fiscal impact on local governments cannot be estimated.

According to Guadalupe County, the bill would have no fiscal impact.

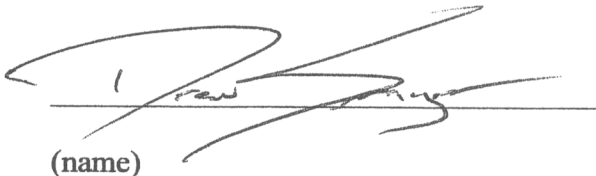
Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 304
Comptroller of Public Accounts, 529 Health and Human Services
Commission, 537 State Health Services, Department of

LBB Staff: UP, GP, AG, JGA, GG

Certification of Compliance with
Rule 13, Section 6(b), House Rules of Procedure

Rule 13, Section 6(b), House Rules of Procedure, requires a copy of a conference committee report signed by a majority of each committee of the conference to be furnished to each member of the committee in person or, if unable to deliver in person, by placing a copy in the member's newspaper mailbox at least one hour before the report is furnished to each member of the house under Rule 13, Section 10(a). The paper copies of the report submitted to the chief clerk under Rule 13, Section 10(b), must contain a certificate that the requirement of Rule 13, Section 6(b), has been satisfied, and that certificate must be attached to the copy of the report furnished to each member under Rule 13, Section 10(d). Failure to comply with this requirement is not a sustainable point of order under Rule 13.

I certify that a copy of the conference committee report on HB 555 was furnished to each member of the conference committee in compliance with Rule 13, Section 6(b), House Rules of Procedure, before submission of the paper copies of the report to the chief clerk under Rule 13, Section 10(b), House Rules of Procedure.


(name)

5/27/17
(date)

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