

## **BILL ANALYSIS**

Senate Research Center  
83R27641 KSD-D

C.S.H.B. 984  
By: Elkins (Huffman)  
Jurisprudence  
5/20/2013  
Committee Report (Substituted)

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

Currently in Texas, a county clerk is required to distribute to each applicant for a marriage license printed materials about acquired immune deficiency syndrome (AIDS) and human immunodeficiency virus (HIV) as well as a premarital education handbook that is developed under state law. C.S.H.B. 984 seeks to provide counties with an alternative medium for distributing such information to applicants.

C.S.H.B. 984 amends current law relating to certain information required to be provided to an applicant for a marriage license.

### **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. Amend Section 2.009(c), Family Code, as follows:

(c) Requires the county clerk, on the proper execution of the application, to:

(1)-(3) Makes no change to these subdivisions;

(4) distribute to each applicant written notice of the online location of the information prepared under Section 2.010 regarding, rather than distribute printed materials about, acquired immune deficiency syndrome (AIDS) and human immunodeficiency virus (HIV) and note on the license that the distribution was made; and

(5) inform each applicant that a premarital education handbook developed by, rather than provided by, the child support division of the Office of the Attorney General (OAG) under Section 2.014 (Family Trust Fund) is available on the child support division's internet website, or if the applicant does not have Internet access, how the applicant may obtain a paper copy of the handbook.

SECTION 2. Amends Section 2.010, Family Code, as follows:

Sec. 2.010. New heading: AIDS INFORMATION; POSTING ON INTERNET. Requires the Department of State Health Services to prepare and make available to the public on its Internet website information about acquired immune deficiency syndrome (AIDS) and human immunodeficiency virus (HIV). Requires that the information be designed to inform an applicant for a marriage license about:

(1) the incidence and mode of transmission of AIDS and HIV;

(2) the local availability of medical procedures, including voluntary testing, designed to show or help show whether a person has AIDS or HIV infection,

antibodies to HIV, or infection with any other probable causative agent of AIDS;  
and

(3) available and appropriate counseling services regarding AIDS and HIV infection.

Deletes existing text requiring that materials providing information about AIDS and HIV be prepared and provided to the clerk by the Texas Department of Health. Makes a nonsubstantive change.

SECTION 3. Amends Section 2.014(c), Family Code, as follows:

(c) Requires that the premarital education handbook under Section (b)(1) (relating to requiring that money in the family trust fund be used for certain purposes, including the development and distribution of a premarital education handbook):

(1) as provided by Section 2.009(c)(5) (relating to requiring the county clerk to distribute to each applicant a premarital education handbook provided by the attorney general), be made available, rather than distributed, to each applicant for a marriage license in an electronic form on the Internet website of the child support division of OAG or, for an applicant who does not have Internet access, in paper copy form; and

(2) Makes nonsubstantive changes.

Makes nonsubstantive changes.

SECTION 4. Makes application of the changes in law made by this Act prospective.

SECTION 5. Effective date: September 1, 2013.