

CHAPTER 32

S.B. No. 342

An Act relating to the issuance of and the expiration date of marriage licenses; amending Subsection (a), Section 1.81, Family Code, and Subsections (a) and (c), Section 1.07, Family Code, as amended.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Subsection (a), Section 1.81, Family Code, is amended to read as follows:

"(a) ~~A [Unless both applicants were exempted by court order from the medical examination requirements of this chapter, the] marriage license expires at the end of the 30-day [21-day] period immediately following the date that the license was issued [of the medical examinations (or the earlier of the two examinations if they were conducted on different days)], if the marriage ceremony has not been conducted within that period. The person who is to conduct the marriage ceremony shall determine this information from the county clerk's endorsement on the license.~~"

SECTION 2. Subsections (a) and (c), Section 1.07, Family Code, as amended, are amended to read as follows:

"(a) The county clerk may not issue a license to the applicants if:

"(1) either applicant fails to provide information as required by Sections 1.02 and 1.05 of the code;

"(2) either applicant fails to submit proof of age and identity;

"(3) either applicant is under 14 years of age and has not received a court order under Section 1.53 of this code;

“(4) either applicant is 14 years of age or older but under 18 years of age and has received neither parental consent nor a court order under Section 1.53 of this code;

“(5) ~~either applicant fails to comply with the requirements of Subchapter B of this chapter;~~

“~~[(6)]~~ either applicant checks ‘false’ in response to a statement in the application, except as provided in Subsection (b) of this section, or fails to make a required declaration in an affidavit required of an absent applicant; or

“(6) ~~[(7)]~~ either applicant indicates that he or she has been divorced by a decree of a court of this state within the last 30 days.”

“(c) On the proper execution of the application, the clerk shall prepare the license. On the reverse side of the license he shall enter the names of the licensees ~~[and, for each of them]~~, the date ~~that the license is issued~~ ~~[of the medical examination or the fact that an exemption was obtained]~~, and the name of the person appointed to act as proxy for an absent applicant, if any.”

SECTION 3. (a) Section 1 of this Act applies to marriage licenses that are issued on or after the effective date of this Act.

(b) A marriage license issued before the effective date of this Act expires on the 31st day after the effective date of this Act if the marriage ceremony has not been conducted before the expiration date.

SECTION 4. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed the Senate on February 19, 1985, by the following vote: Yeas 30, Nays 0;
passed the House on March 28, 1985, by the following vote: Yeas 135, Nays 0, two present not voting.

Approved: April 11, 1985

Effective: Immediately