

CHAPTER 273

H.B. No. 1213

AN ACT

relating to the issuance of marriage licenses and to the time marriage ceremonies may take place.

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

SECTION 1. Section 1.07, Family Code, is amended by adding Subsection (d) to read as follows:

(d) The clerk shall indicate the time at which the license was issued on the license.

SECTION 2. Section 1.82, Family Code, is amended by amending Subsection (a) and adding Subsections (c) and (d) to read as follows:

(a) On receiving an unexpired marriage license, any authorized person may conduct the marriage ceremony as provided by this section.

(c) The marriage ceremony may not take place during a 72-hour period immediately following the issuance of the marriage license unless:

(1) an applicant is a member of the armed forces of the United States and is on active duty; or

(2) an applicant obtains an order of a district court as provided by Subsection (d) of this section.

(d) An applicant may request a district court for an order permitting the marriage ceremony to take place during a 72-hour period immediately following the issuance of the marriage license. The court may grant an early hearing on the request and shall grant the order if the court finds that there is good cause for the marriage to take place during the 72-hour period.

SECTION 3. Subchapter C, Chapter 2, Family Code, is amended by adding Section 2.48 to read as follows:

Sec. 2.48. MARRIAGE LESS THAN 72 HOURS AFTER ISSUANCE OF LICENSE. A marriage is voidable and subject to annulment if the marriage ceremony takes place in violation of Section 1.82 of this code during a 72-hour period immediately following the issuance of the marriage license.

SECTION 4. This Act takes effect January 1, 1988, and applies only to:

- (1) a marriage license issued on or after that date; and
- (2) a marriage ceremony conducted on the basis of a marriage license issued on or after that date.

SECTION 5. 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.

Passed by the House on May 5, 1987, by a non-record vote; and that the House concurred in Senate amendments to H.B. No. 1213 on May 30, 1987, by a non-record vote. Passed by the Senate, with amendments, on May 28, 1987, by a viva-voce vote.

Approved June 10, 1987.

Effective Jan. 1, 1988.