

CHAPTER 195

S.B. No. 1322

AN ACT

relating to the requirements for issuance of a marriage license.

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

SECTION 1. Section 1.02, Family Code, as amended, is amended to read as follows:

Sec. 1.02. APPLICATION FOR LICENSE. Except as otherwise provided by Section 1.05 of this code, persons applying for a license shall:

- (1) appear together or separately before the county clerk;
- (2) submit for each applicant:

(A) proof of identity and age as prescribed by Section 1.04 of this code; and,

(B) ~~[a medical examination certificate or an exemption order as prescribed by Subchapter B of this chapter; and,~~

~~[(C)]~~ if required, the documents establishing parental consent, *documents establishing that a prior marriage has been dissolved*, or a court order, as prescribed by Subchapter C of this chapter;

(3) provide the information for which spaces are provided in the application for a marriage license; and,

(4) take the oath printed on the application and sign the application before the county clerk.

SECTION 2. Subsection (b), Section 1.05, Family Code, as amended, is amended to read as follows:

(b) The person applying on behalf of an absent applicant shall present to the clerk:

(1) the affidavit of the absent applicant as prescribed by Subsection (c) of this section;

(2) proof of the identity and age of the absent applicant as provided by Section 1.04 of this code;

(3) a medical examination certificate or an exemption order for the absent applicant as prescribed by Subchapter B of this chapter; and

(4) if required, the documents establishing parental consent, *documents establishing that a prior marriage has been dissolved*, or a court order, for the absent applicant as prescribed by Subchapter C of this chapter.

SECTION 3. Section 1.51, Family Code, as amended, is amended to read as follows:

Sec. 1.51. AGE REQUIREMENTS: GENERAL RULES. Except with parental consent as prescribed by Section 1.52 of this code, *with a showing that a prior marriage has been dissolved*, or with a court order as prescribed by Section 1.53 of this code, the county clerk shall not issue a marriage license if either applicant is under 18 years of age.

SECTION 4. This Act takes effect September 1, 1987.

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 the Senate on April 30, 1987, by the following vote: Yeas 31, Nays 0. Passed the House on May 15, 1987, by a non-record vote.

Approved May 27, 1987.

Effective Sept. 1, 1987.