

BILL ANALYSIS

Senate Research Center
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S.B. 1218
By: Campbell
Jurisprudence
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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under current law, a person may apply for a marriage license with 19 different forms of identification. Several of these forms of identification do not include a photograph of the applicant and may be expired up to two years.

S.B. 1218 restricts the current list of documents used for identification to include documents issued by a governmental entity with a photograph of the applicant and further limits the amount of time which a document can be expired.

As proposed, S.B. 1218 amends current law relating to the proof of an applicant's identity and age required for the issuance of 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. Amends Section 2.005(b), Family Code, as follows:

(b) Requires the proof of identity and age to be established by:

- (1) a driver's license or identification card issued by this state, another state, or a foreign government that is current or has expired not more than 120 days, rather than two years, preceding the date the identification is submitted to the county clerk in connection with an application for a license;
- (2) a United States passport that is current or has expired not more than 120 days preceding the date the passport is submitted to the county clerk in connection with an application for a license;
- (3) a current passport issued by a foreign country;
- (4)-(5) Makes nonsubstantive changes;
- (6) an unexpired military dependent identification card that contains the person's photograph;
- (7) an unexpired pilot's license issued by the Federal Aviation Administration or another authorized agency of the United States that contains the person's photograph;
- (8) an unexpired license to carry a concealed handgun under Subchapter H (License to Carry a Concealed Handgun), Chapter 411, Government Code;

(9) a temporary driving permit or a temporary identification card issued by the Department of Public Safety of the State of Texas (DPS), together with an identification photograph; or

(10) an offender identification card issued by the Texas Department of Criminal Justice that contains the person's photograph.

Deletes existing text requiring that proof be established by a driver's license or identification card issued by a Canadian province, a consular document issued by a state or national government, an original or certified copy of a birth certificate issued by a bureau of vital statistics for a state or a foreign government, an original or certified copy of a Consular Report of Birth Abroad or Certificate of Birth Abroad issued by the United States Department of State, an original or certified copy of a court order relating to the applicant's name change or sex change, school records from a secondary school or institution of higher education, an insurance policy continuously valid for the two years preceding the date of the application for a license, a motor vehicle certificate of title, military records, including documentation of release or discharge from active duty or a draft record, an original or certified copy of the applicant's marriage license or divorce decree, or a voter registration certificate. Makes nonsubstantive changes.

SECTION 2. Makes application of the change in law made by this Act prospective.

SECTION 3. Effective date: September 1, 2013.