

PRESENTED AT

13th Biennial Sampson, Tindall and England
Family Law Legislative Update

June 18, 2015
Austin, TX

Family Law Legislative Update

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TITLE 1: THE MARRIAGE RELATIONSHIP

S.B. No. 813—USE OF DIGITIZED SIGNATURE IN TERMINATION OF MARRIAGE PROCEEDINGS

§ 1.109. Use of Digitized Signature.

(a) A digitized signature on an original petition under this title or any other pleading or order in a proceeding under this title satisfies the requirements for and imposes the duties of signatories to pleadings, motions, and other papers identified under Rule 13, Texas Rules of Civil Procedure.

(b) A digitized signature under this section may be applied only by, and must remain under the sole control of, the person whose signature is represented.

This Act takes effect September 1, 2015 and applies only to a proceeding that is commenced on or after the effective date of this Act. A proceeding that is commenced before that date is governed by the law in effect on the date the proceeding was commenced, and the former law is continued in effect for that purpose."

H.B. No. 2278—AUTHORIZING CERTAIN AJS TO CONDUCT MARRIAGE CEREMONY

§ 2.202. Persons Authorized to Conduct Ceremony.

(a) The following persons are authorized to conduct a marriage ceremony:

- (1) a licensed or ordained Christian minister or priest;
- (2) a Jewish rabbi;
- (3) a person who is an officer of a religious organization and who is authorized by the organization to conduct a marriage ceremony;
- (4) a justice of the supreme court, judge of the court of criminal appeals, justice of the courts of appeals, judge of the district, county, and probate courts, judge of the county courts at law, judge of the courts of domestic relations, judge of the juvenile courts, retired justice or judge of those courts, justice of the peace, retired justice of the peace, judge of a municipal court, retired judge of a municipal court, associate judge of a statutory probate court, retired associate judge of a statutory probate court, associate judge of a county court at law, retired associate judge of a county court at law, or judge or magistrate of a federal court of this state; and
- (5) a retired judge or magistrate of a federal court of this state.

...

This Act takes effect September 1, 2015.

S.B. NO. 2065—MARRIAGE LAWS CANNOT VIOLATE SINCERELY HELD RELIGIOUS BELIEFS

SUBCHAPTER G. FREEDOM OF RELIGION WITH RESPECT TO RECOGNIZING OR PERFORMING CERTAIN MARRIAGES

§ 2.601. Rights of Certain Religious Organizations.

A religious organization, an organization supervised or controlled by or in connection with a religious organization, an individual employed by a religious organization while acting in the scope of that employment, or a clergy or minister may not be required to solemnize any marriage or provide services, accommodations, facilities, goods, or privileges for a purpose related to the solemnization, formation, or celebration of any marriage if the action would cause the organization or individual to violate a sincerely held religious belief.

§ 2.602. Discrimination Against Religious Organization Prohibited.

A refusal to provide services, accommodations, facilities, goods, or privileges under § 2.601 is not the basis for a civil or criminal cause of action or any other action by this state or a political subdivision of this state to penalize or withhold benefits or privileges, including tax exemptions or governmental contracts, grants, or licenses, from any protected organization or individual.

This Act takes effect September 1, 2015. This bill did not take effect immediately because it did not receive a vote of two-thirds of all members elected to each house. On May 12, 2015, this bill passed by record vote of 21 yeas and 9 nays in the Senate. On May 22, 2015, this bill passed by record vote of 142 yeas, 0 nays, and 1 present, not voting, in the House.

S.B. NO. 814—NO DIGITIZED SIGNATURES FOR A WAIVER OF SERVICE

§ 6.4035 Waiver of Service

...
(c) Notwithstanding Section 132.001, Civil Practice and Remedies Code, the waiver must be sworn before a notary public who is not an attorney in the suit. This subsection does not apply if the party executing the waiver is incarcerated.

...
(e) The party executing the waiver may not sign the waiver using a digitized signature.

(f) For purposes of this section, "digitized signature" has the meaning assigned by Section 101.0096.

This Act takes effect September 1, 2015, and "applies only to a suit that is commenced on or after the effective date of this Act. A suit that is

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First appeared as part of the conference materials for the
13th Biennial Sampson, Tindall and England Family Law Legislative Update session
"Family Law Legislative Update"