

BILL ANALYSIS

Senate Research Center
77R1929 KSD-D

S.B. 488
By: Harris
State Affairs
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As Filed

DIGEST AND PURPOSE

Current Texas law prohibits issuing a marriage license for persons of the same sex and mandates that common law marriages may only be between a man and a woman but does not address civil unions. As proposed, S.B. 488 prohibits the State of Texas from recognizing same-sex marriages or civil unions.

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 Chapter 1B, Family Code, by adding Section 1.109, as follows:

Sec. 1.109. RECOGNITION OF SAME-SEX MARRIAGE OR CIVIL UNION. (a)
Defines "civil union."

(b) Prohibits the state from giving effect to a public act, record, or judicial proceeding that recognizes or validates a marriage or civil union between persons of the same sex, or to a right or claim asserted as a result of the purported marriage or civil union.

SECTION 2. Effective date: upon passage or September 1, 2001.