

By: Vasut

H.B. No. 931

A BILL TO BE ENTITLED

AN ACT

relating to the creation and dissolution of a covenant marriage.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter A, Chapter 2, Family Code, is amended by adding Section 2.0041 to read as follows:

Sec. 2.0041. AFFIDAVIT OF INTENT TO ENTER INTO A COVENANT MARRIAGE. (a) The applicants for a marriage license may enter into a covenant marriage by submitting with the application for the license a signed and notarized affidavit of intent to enter into a covenant marriage.

(b) The affidavit of intent to enter into a covenant marriage must contain the following statement:

"We do solemnly declare that marriage is a covenant between two people who agree to live together as spouses for so long as they both may live. We understand the nature, purpose, and responsibilities of marriage and have received counseling on the obligations of a covenant marriage. We understand that a covenant marriage is for life. We understand that we can get divorced or separated. If we experience marital difficulties, we commit ourselves to take all reasonable efforts to preserve our marriage, including marital counseling.

With full knowledge of what this commitment means, we declare our intent to enter into a covenant marriage that will be bound by Texas law on covenant marriage and we promise to love, honor, and

1 care for one another for the rest of our lives."

2 SECTION 2. Section 2.009(e), Family Code, is amended to  
3 read as follows:

4 (e) A license issued by a county clerk under this section:

5 (1) must:

6 (A) identify the county in which the license is  
7 issued; and

8 (B) indicate whether the license is for a  
9 covenant marriage; and

10 (2) may include the name of the county clerk.

11 SECTION 3. Chapter 2, Family Code, is amended by adding  
12 Subchapter H to read as follows:

13 SUBCHAPTER H. COVENANT MARRIAGE

14 Sec. 2.651. DESIGNATING EXISTING MARRIAGE AS COVENANT  
15 MARRIAGE. (a) A married couple may designate their marriage as a  
16 covenant marriage by filing with the county clerk:

17 (1) a signed and notarized affidavit of intent to  
18 designate a marriage as a covenant marriage; and

19 (2) a copy of the couple's marriage license.

20 (b) The affidavit of intent to designate a marriage as a  
21 covenant marriage must contain the following statement:

22 "We do solemnly declare that marriage is a covenant between  
23 two people who agree to live together as spouses for so long as they  
24 both may live. We understand the nature, purpose, and  
25 responsibilities of marriage and have received counseling on the  
26 obligations of a covenant marriage. We understand that a covenant  
27 marriage is for life. We understand that we can get divorced or

1 separated. If we experience marital difficulties, we commit  
2 ourselves to take all reasonable efforts to preserve our marriage,  
3 including marital counseling.

4 With full knowledge of what this commitment means, we declare  
5 that our marriage will be bound by Texas law on covenant marriage  
6 and we renew our promise to love, honor, and care for one another  
7 for the rest of our lives."

8 (c) On receipt of the affidavit and marriage license under  
9 Subsection (a), the county clerk shall:

10 (1) designate on the marriage license that the  
11 marriage is a covenant marriage; and

12 (2) attach a copy of the affidavit to the marriage  
13 license.

14 (d) A marriage becomes a covenant marriage when a couple  
15 files the affidavit of intent to designate a marriage as a covenant  
16 marriage with the county clerk.

17 Sec. 2.652. COUNSELING REQUIREMENT. (a) A couple may not  
18 enter into a covenant marriage or designate a marriage as a covenant  
19 marriage unless the couple, at least seven days before the date the  
20 marriage is solemnized or designated, completes at least five hours  
21 of premarital counseling from a clergy member or a person legally  
22 authorized to engage in marriage counseling.

23 (b) The clergy member or counselor must use a faith-based or  
24 science-based counseling program.

25 (c) The clergy member or counselor shall:

26 (1) ensure that the couple discusses important  
27 personal issues, including financial issues and conflict

1 resolution;

2 (2) discuss the seriousness of a covenant marriage;

3 (3) inform the couple that a covenant marriage is a  
4 commitment for life; and

5 (4) inform the couple of the obligation to seek  
6 marital counseling in times of marital difficulties.

7 (d) The clergy member or counselor may discuss any other  
8 topic the clergy member or counselor considers important to the  
9 couple's understanding of the marital commitment.

10 Sec. 2.653. MATERIAL FOR COUNTY CLERK. The attorney  
11 general shall develop material to educate county clerks in affected  
12 counties about the requirements for issuing a covenant marriage  
13 license and the differences between a covenant marriage and a  
14 noncovenant marriage.

15 SECTION 4. Chapter 6, Family Code, is amended by adding  
16 Subchapter J to read as follows:

17 SUBCHAPTER J. DISSOLUTION OF COVENANT MARRIAGE

18 Sec. 6.851. DISSOLUTION OF COVENANT MARRIAGE. (a) The  
19 court may grant a divorce on the ground of insupportability under  
20 Section 6.001 to a couple who has entered into a covenant marriage  
21 only if the parties to the marriage:

22 (1) agree to the granting of a divorce under that  
23 section; and

24 (2) have completed the counseling required by Section  
25 6.852.

26 (b) The procedures in this chapter for a suit for  
27 dissolution of a marriage apply to a suit for dissolution of a

1 covenant marriage.

2 Sec. 6.852. COUNSELING REQUIREMENT BEFORE DISSOLUTION. (a)  
3 The parties to a covenant marriage may obtain a divorce on the  
4 ground of insupportability under Section 6.001 only if the parties  
5 have received at least five hours of counseling from a clergy member  
6 or a licensed marriage and family therapist or other licensed  
7 mental health professional described by Subsection (b) in an  
8 attempt to reconcile the marriage. The couple may participate in  
9 the counseling as long as both parties wish to continue  
10 participation.

11 (b) A licensed mental health professional may perform the  
12 counseling required by this section if the license holder has  
13 completed at least six hours of continuing education in subjects  
14 related to counseling married couples during each licensing period.

15 SECTION 5. Subchapter B, Chapter 8, Family Code, is amended  
16 by adding Section 8.0511 to read as follows:

17 Sec. 8.0511. MAINTENANCE IN PROCEEDINGS INVOLVING COVENANT  
18 MARRIAGE. The court may order maintenance in accordance with this  
19 chapter in proceedings for the dissolution of a covenant marriage.  
20 Notwithstanding any other provision of this chapter, the court may  
21 also order maintenance in accordance with this chapter in  
22 proceedings for legal separation of a covenant marriage.

23 SECTION 6. Section 194.001, Health and Safety Code, is  
24 amended by amending Subsection (a) and adding Subsection (c) to  
25 read as follows:

26 (a) The county clerk shall file with the vital statistics  
27 unit a copy of each completed marriage license application and a

1 copy of any affidavit of an absent applicant or affidavit of intent  
2 to enter into a covenant marriage submitted with an application.  
3 The clerk shall file the copies not later than the 90th day after  
4 the date of the application. The clerk may not collect a fee for  
5 filing the copies.

6 (c) The county clerk shall file with the vital statistics  
7 unit a copy of each affidavit of intent to designate a marriage as a  
8 covenant marriage executed under Section 2.651, Family Code. The  
9 clerk shall file the copy not later than the 90th day after the date  
10 on which the affidavit is executed.

11 SECTION 7. Section 194.0011, Health and Safety Code, is  
12 amended to read as follows:

13 Sec. 194.0011. MARRIAGE LICENSE APPLICATIONS. (a) The  
14 executive commissioner by rule shall prescribe the format and  
15 content of the:

16 (1) department form used for the marriage license  
17 application;

18 (2) affidavit of intent to enter into a covenant  
19 marriage; and

20 (3) affidavit of intent to designate a marriage as a  
21 covenant marriage.

22 (a-1) The department form used for the marriage license  
23 application must:

24 (1) require identification of the county in which the  
25 application is submitted; and

26 (2) allow, but may not require, the name of the county  
27 clerk to appear on the application.

1 (b) The vital statistics unit shall print and distribute the  
2 department marriage license application form and the prescribed  
3 affidavits of intent to enter into a covenant marriage or designate  
4 a marriage as a covenant marriage [~~forms~~] to each county clerk  
5 throughout the state.

6 (c) The department form and prescribed affidavits shall  
7 replace locally adopted forms and affidavits.

8 (d) A county clerk may reproduce the department form and  
9 prescribed affidavits locally.

10 SECTION 8. Section 118.011, Local Government Code, is  
11 amended by amending Subsection (a) and adding Subsection (h) to  
12 read as follows:

13 (a) A county clerk shall collect the following fees for  
14 services rendered to any person:

15 (1) Personal Property Records Filing (Sec. 118.012):

16 (A) for the first page . . . . . \$ 5.00;

17 (B) for each additional page or part of a page on  
18 which there are visible marks of any kind . . . . . \$ 4.00;

19 (2) Real Property Records Filing (Sec. 118.013):

20 (A) for the first page . . . . . \$ 5.00;

21 (B) for each additional page or part of a page on  
22 which there are visible marks of any kind . . . . . \$ 4.00;

23 (C) for all or part of each 8-1/2" X  
24 14" attachment or rider . . . . . \$ 4.00;

25 (D) for each name in excess of five names that has  
26 to be indexed in all records in which the document must be indexed  
27 . . . . . \$ 0.25;

1           (3) Certified Papers (Sec. [118.014](#)):

2           (A) for the clerk's certificate . . . . .  
3 \$5.00;

4           (B) printed on paper, plus a fee for each page or  
5 part of a page . . . . . \$ 1.00;

6           (C) that is a paper document converted to  
7 electronic format, for each page or part of a page . . . . . \$1;

8           (D) that is an electronic copy of an electronic  
9 document:

10           (i) for each document up to 10 pages in  
11 length . . . . . \$1;

12           (ii) for each page or part of a page of a  
13 document over 10 pages . . . . . \$0.10;

14           (4) Noncertified Papers (Sec. [118.0145](#)):

15           (A) printed on paper, for each page or part of a  
16 page . . . . . \$ 1.00;

17           (B) that is a paper document converted to  
18 electronic format, for each page or part of a page . . . . . \$1;

19           (C) that is an electronic copy of an electronic  
20 document:

21           (i) for each document up to 10 pages in  
22 length . . . . . \$1;

23           (ii) for each page or part of a page of a  
24 document over 10 pages . . . . . \$0.10;

25           (5) Birth or Death Certificate (Sec. [118.015](#))  
26 . . . . . same as state registrar;

27           (6) Bond Approval (Sec. [118.016](#)) . . . . . \$ 3.00;

- 1           (7) Noncovenant Marriage License (Sec. 118.018)
- 2     . . . . . \$60.00;
- 3           (8) Declaration of Informal Marriage (Sec. 118.019)
- 4     . . . . . \$25.00;
- 5           (9) Brand Registration (Sec. 118.020) . . . . .
- 6     \$5.00;
- 7           (10) Oath Administration (Sec. 118.021) . . . . .
- 8     \$1.00.

9           (h) A county clerk may not charge a fee for issuing a  
 10 covenant marriage license or designating on a marriage license that  
 11 the marriage is a covenant marriage.

12           SECTION 9. The heading to Section 118.018, Local Government  
 13 Code, is amended to read as follows:

14           Sec. 118.018. NONCOVENANT MARRIAGE LICENSE.

15           SECTION 10. Sections 118.018(a) and (b-1), Local Government  
 16 Code, are amended to read as follows:

17           (a) The fee for a "Noncovenant Marriage License" under  
 18 Section 118.011 is for issuing a noncovenant marriage license. The  
 19 fee must be paid at the time the license is issued, except as  
 20 provided by Subsection (b-1).

21           (b-1) The county clerk shall issue a noncovenant marriage  
 22 license without collecting a noncovenant marriage license fee from  
 23 an applicant who:

24           (1) completes a premarital education course described  
 25 by Section 2.013, Family Code;

26           (2) provides to the county clerk a premarital  
 27 education course completion certificate indicating completion of

1 the premarital education course not more than one year before the  
2 date the noncovenant marriage license application is filed with the  
3 clerk; and

4 (3) provides proof satisfactory to the county clerk  
5 that the applicant is a resident of this state.

6 SECTION 11. This Act takes effect September 1, 2025.