A BILL TO BE ENTITLED

AN ACT

relating to the funding, issuing, and litigation of certain marriage licenses.

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

SECTION 1. This Act may be cited as the Preservation of Sovereignty and Marriage Act.

SECTION 2. Section 2.001, Family Code, is amended to read as follows:

(c) State or local taxpayer funds or governmental salaries may not be used for an activity that includes the licensing or support of same-sex marriage.

(d) A state or local governmental employee officially may not recognize, grant, or enforce a same-sex marriage license. If an employee violates this subsection, the employee may not continue to receive a salary, pension, or other employee benefit at the expense of the taxpayers of this State.

(e) Taxes or public funds may not be utilized to enforce a court order requiring the issuance or recognition of a same-sex marriage license.

(f) A court of this State shall dismiss a legal action challenging a provision of this section and shall award costs and attorney's fees to a person or entity named as a defendant in the legal action.

(g) A person employed by this State or a local governmental
entity who violates or interferes with the implementation of this
section may not continue to receive a salary, pension, or other
employee benefit.

(h) The State is not subject to suit in law or equity
pursuant to the eleventh amendment of the United States
Constitution for complying with the provisions of this section,
regardless of a contrary federal court ruling.

SECTION 3. If any section, subsection, paragraph,
subparagraph, sentence, clause, phrase, or word of this Act is for
any reason held to be unconstitutional or invalid, such holding
shall not affect the constitutionality or validity of the remaining
portions of this Act, the legislature hereby declaring that it
would have passed this, and each and every section, subsection,
paragraph, subparagraph, sentence, clause, phrase, and word
thereof, irrespective of the fact that any one or more other
sections, subsections, paragraphs, subparagraphs, sentences,
clauses, phrases, or words hereof may be declared to be
unconstitutional, invalid, or otherwise ineffective. All
constitutionally valid applications of this Act shall be severed
from any applications that a court finds to be invalid, leaving the
valid applications in force, because it is the legislature's intent
and priority that the valid applications be allowed to stand alone.

SECTION 4. This Act takes effect immediately if it receives
a vote of two-thirds of all the members elected to each house, as
provided by Section 39, Article III, Texas Constitution. If this
Act does not receive the vote necessary for immediate effect, this
Act takes effect September 1, 2015.