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Real Property, Vital Statistics, Civil, Probate and Criminal

Henderson County Clerk

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OBTAINING A MARRIAGE LICENSE WHEN THERE IS AN ABSENT APPLICANT IN THE MILITARY

If an applicant is unable to appear personally before the County Clerk to apply for a marriage license, any adult person or the other applicant may apply on behalf of the absent applicant.

The applicant who will not be able to appear in the County Clerk's Office must complete and sign the Affidavit of Absent Applicant form. **All blanks must be filled in. This form must be notarized.** The names shown for both applicants must be **EXACTLY** as they appear on the documents used for proof of identity and age. This form is available at the Henderson County Clerk's Office or on the website (<https://www.henderson-county.com/departments/county-clerk/county-clerk-forms>).

The applicant who can appear in the County Clerk's Office must then present the original completed and notarized Affidavit of the Absent Applicant and proof of the identity and age of **both** applicants. Under no circumstances will a copy or altered document be accepted as proof of identify and age. The names on the marriage license will appear exactly as seen on the identification presented. Other documents are required if the absent applicant is under 18 years of age.

Texas law states that proof of identity and age must be established by:

1. A driver's license or identification card issued by this state, another state, or a Canadian province that is current or has expired not more than two years preceding the date the identification is submitted to the county clerk in connection with an application for a license;
2. United States passport;
3. Current passport issued by a foreign country or a consular document issued by a state or national government;
4. An unexpired Certificate of United States Citizenship, Certificate of Naturalization, United States Citizen Identification Card, Permanent Resident Card, Temporary Resident Card, Employment Authorization Card, or other document issued by the federal Department of Homeland Security or the United States Department of State including an identification photograph;
5. An unexpired military identification card for active duty, reserve, or retired personnel with an identification photograph;
6. An original or certified copy of a birth certificate issued by a bureau of vital statistics for a state or a foreign government;
7. An original or certified copy of a Consular Report of Birth Abroad or Certificate of Birth Abroad issued by the US Department of State;
8. An original or certified copy of a court order relating to the applicant's name change or sex change;
9. School records from a secondary school or institution of higher education;
10. An insurance policy continuously valid for the two years preceding the date of the application for a license;
11. A motor vehicle certificate of title;
12. Military records, including documentation of release or discharge from active duty or a draft record;
13. An unexpired military dependent identification card;
14. An original or certified copy of the applicant's marriage license or divorce decree;
15. A voter registration certificate;
16. A pilot's license issued by the Federal Aviation Administration or another authorized agency of the United States;
17. A license to carry a concealed handgun under Subchapter H, Chapter 411, Government Code;
18. A temporary driving permit or a temporary identification card issued by the Department of Public Safety; or
19. An offender identification card issued by the Texas Department of Criminal Justice.

The cost of a marriage license is \$81.00 cash, check or money order or it is \$83.63 by card. Acceptable cards are Mastercard or Visa

Under no circumstance are marriage license fees refundable.

Marriage licenses are valid for 90 days.

The Clerk may not issue a marriage license when both applicants are absent unless the person applying on behalf of each absent applicant provides to the clerk an affidavit of the applicant declaring that the applicant is a member of the armed forces of the United States stationed in another country in support of combat or another military operation.

An Affidavit of Absent Applicant may not be used to obtain an informal marriage license.

For the ceremony, applicants using an Absent Applicant Affidavit must be present unless the absent applicant is a member of the armed forces of the United States stationed in another country in support of combat or another military operation AND is unable to attend the ceremony. If the Absent Applicant is in a correctional facility during the 90 days of the license's validity, please contact that facility to determine if a ceremony can be conducted during that time period.