

REFERENCE TITLE: covenant marriage; dissolution; attestation

State of Arizona
House of Representatives
Fifty-sixth Legislature
Second Regular Session
2024

HB 2251

Introduced by
Representative Carter

AN ACT

AMENDING SECTION 25-314, ARIZONA REVISED STATUTES; RELATING TO COVENANT MARRIAGE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 25-314, Arizona Revised Statutes, is amended to
3 read:

4 25-314. Pleadings; contents; defense; joinder of parties;
5 confidentiality

6 A. The verified petition in a proceeding for dissolution of
7 marriage, annulment or legal separation shall allege that the marriage is
8 irretrievably broken or void, that one or both of the parties desire to
9 live separate and apart or, if the marriage is a covenant marriage, any of
10 the grounds prescribed in section 25-903 or 25-904, whichever is
11 appropriate, and shall set forth:

12 1. The birth date, occupation and address of each party and the
13 length of domicile in this state.

14 2. The date of the marriage, the place at which it was performed
15 and whether the marriage is a covenant marriage.

16 3. The names, birth dates and addresses of all living children,
17 natural or adopted, common to the parties and whether the wife is
18 pregnant.

19 4. The details of any agreements between the parties as to support,
20 legal decision-making and parenting time of the children and maintenance
21 of a spouse.

22 5. The relief sought.

23 B. FOR A COVENANT MARRIAGE, THE PETITION FOR DISSOLUTION OF
24 MARRIAGE OR LEGAL SEPARATION SHALL BE ACCOMPANIED BY A NOTARIZED AFFIDAVIT
25 THAT IS SIGNED BY A MEMBER OF THE CLERGY OR A MARRIAGE COUNSELOR ATTESTING
26 THAT THE PARTIES WERE COUNSELED AS TO THE GROUNDS FOR DISSOLUTION OF A
27 COVENANT MARRIAGE OR LEGAL SEPARATION OF THE PARTIES TO A COVENANT
28 MARRIAGE AND THAT THE GROUNDS FOR A DISSOLUTION OF MARRIAGE OR LEGAL
29 SEPARATION PRESCRIBED IN SECTION 25-903 OR 25-904 ARE MET.

30 ~~B.~~ C. Either party to the marriage may initiate the proceeding.

31 ~~C.~~ D. The only defense to a petition is:

32 1. For the dissolution of a marriage or legal separation, that the
33 marriage is not irretrievably broken.

34 2. For a covenant marriage, that none of the grounds alleged for a
35 dissolution of marriage or legal separation prescribed in section 25-903
36 or 25-904 is met.

37 3. For annulment, that the marriage is not void.

38 ~~D.~~ E. The court may join additional parties necessary for the
39 exercise of its authority.

40 ~~E.~~ F. This section does not require a victim of domestic violence
41 or a resident of a domestic violence shelter as defined in section 36-3001
42 to divulge the person's address, except that a means of communicating with
43 the resident, such as a post office box or address of the person's
44 attorney, must be disclosed.