
HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 738 by Representative Nancy Landry

1 **This document reflects the content of a substitute bill but is not a bill form; page**
 2 **numbers in this document DO NOT correspond to page numbers in the substitute bill**
 3 **itself.**

4 To amend and reenact R.S. 9:237(C), relative to covenant marriages; to provide for notice
 5 of certain expenses; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 9:237(C) is hereby amended and reenacted to read as follows:

8 §237. Information on matrimonial regime and covenant marriage laws; printed
 9 summary

10 * * *

11 C. The summary of covenant marriage law shall emphasize that premarital
 12 counseling is mandatory at which time the necessary documents consisting of the
 13 declaration of intent and the affidavit and attestation of the counselor shall be
 14 executed, that the couple agrees to take all reasonable steps to preserve their
 15 marriage if marital difficulties arise, including marriage counseling, that divorce in
 16 a covenant marriage is restricted to fault by a spouse and living separate and apart
 17 for two years as provided in R.S. 9:307, that expenses for additional legal and marital
 18 counseling may be incurred by the couple in order to obtain a legal termination of
 19 a covenant marriage, and that divorce under the general marriage law of this state
 20 differs significantly.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Nancy Landry

HB No. 738

Abstract: Provides for notification that expenses for additional legal and marital counseling may be incurred by a couple in order to obtain a legal termination of a covenant marriage

Present law requires that on receiving an application for a license to marry, the license-issuing officer shall deliver to each prospective spouse, either in person or by registered mail, a printed summary of the then current matrimonial regime laws of this state and the covenant marriage law of this state, and that the summaries shall be prepared by the attorney general of this state.

Present law requires that the summary emphasize the possibility of contracting expressly a regime of one's choosing before marriage, that spouses who have not entered into a matrimonial agreement before marriage become subject to the legal regime by operation of law.

Present law requires that the summary of covenant marriage law shall emphasize that premarital counseling is mandatory, that the couple agrees to take all reasonable steps to preserve their marriage, including marriage counseling, that divorce in a covenant marriage is restricted to fault by a spouse and living separate and apart for two years as provided in R.S. 9:307, and that divorce under the general marriage law of this state differs significantly.

Proposed law retains present law and requires the summary to emphasize that expenses for additional legal and marital counseling may be incurred by a couple in order to obtain a legal termination of a covenant marriage.

(R.S. 9:237(C))