

Senate Bill 183

By: Senators Harp of the 16th and Harbison of the 15th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 6 of Title 19 of the Official Code of Georgia Annotated, relating to
2 alimony and child support generally, so as to require specific financial data in actions relating
3 to domestic relations; to provide a manner for financial information to be sealed; to provide
4 for related matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Chapter 6 of Title 19 of the Official Code of Georgia Annotated, relating to alimony and
8 child support generally, is amended by adding a new Code Section 19-6-36 to read as
9 follows:

10 "19-6-36.

11 (a) Every action for temporary or permanent child support, alimony, equitable division of
12 property, modification of child support or alimony, or attorneys' fees shall be accompanied
13 by an affidavit specifying the party's financial circumstances. The affidavit shall be served
14 at the same time that the notice of interlocutory hearing is served and filed with the clerk
15 of court at the time of said hearing. The opposing party shall make an affidavit regarding
16 his or her financial circumstances and shall serve it upon opposing counsel at least five
17 days prior to the interlocutory hearing and file it with the clerk of court at the time of said
18 hearing. If the parties are ordered to participate in mediation at any time prior to trial, each
19 shall serve the affidavit upon the other at least five days prior to the mediation. Each shall
20 furnish the mediator with a copy at the time of the mediation.

21 (b) If no application for a temporary award is made and the parties do not participate in
22 mediation prior to trial, then the parties shall make and serve the affidavits at least ten days
23 before trial and file them with the clerk of court at the time of trial. If a party is not
24 represented by an attorney, sufficient time shall be allowed the party to prepare the required
25 affidavit at hearing or trial.

1 (c) Failure of any party to file and furnish the affidavit described in subsection (a) of this
2 Code section, in the discretion of the court, may subject the offending party to the penalties
3 of contempt and result in continuance of the hearing until such time as the required
4 affidavit is furnished.

5 (d) The affidavit shall be under oath and in the form required by each judicial circuit.

6 (e) Upon request of any party who has disclosed financial information as required by this
7 Code section or has had financial information disclosed in any court order or pleading filed
8 pursuant to this title, and after a hearing, the court shall order that the financial information
9 be sealed and preserved in the records of the court subject to further order of the court and
10 to be made available to the appellate court in the event of an appeal."

11

SECTION 2.

12 All laws and parts of laws in conflict with this Act are repealed.