

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 5 of Title 19 of the Official Code of Georgia Annotated, relating to
2 divorce, so as to specify distribution of marital property under certain circumstances; to
3 provide for counseling under certain circumstances; to provide for related matters; to repeal
4 conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

6 Chapter 5 of Title 19 of the Official Code of Georgia Annotated, relating to divorce, is
7 amended by striking in its entirety Code Section 19-5-13, relating to disposition of property
8 in accordance with verdict, and inserting in lieu thereof the following:

9 "19-5-13.

10 The verdict of the jury disposing of the property in a divorce case shall be carried into
11 effect by the court by entering such judgment or decree or taking such other steps as are
12 usual in the exercise of the court's equitable powers to execute effectually and fully the
13 jury's verdict; provided, however, that a party shall not be entitled to any of the marital
14 property if it is established by a preponderance of the evidence that the separation between
15 the parties was caused by that party's adultery."
16

SECTION 2.

17 Said chapter is further amended by adding a new Code section to the end of the chapter to
18 read as follows:

19 "19-5-18.

20 If it is established by a preponderance of the evidence that the separation between the
21 parties was caused by one of the party's adultery, then the court shall order the party who
22 committed the adultery to attend 12 hours of counseling involving marital issues. The
23 counseling shall be completed within six months of the final order granting the divorce.
24 The counseling shall be performed by:
25

- 1 (1) A professional counselor, social worker, or marriage and family therapist who is
2 licensed pursuant to Chapter 10A of Title 43;
- 3 (2) A physician who is licensed pursuant to Chapter 34 of Title 43;
- 4 (3) A psychologist who is licensed pursuant to Chapter 39 of Title 43;
- 5 (4) A member of a religious ministry responsible to its established ecclesiastical
6 authority who possesses a master's degree or its equivalent in theological studies; or
- 7 (5) A person engaged in the practice of a specialty in accordance with Biblical doctrine
8 in a public or nonprofit agency or entity or in private practice."

9 **SECTION 3.**

10 All laws and parts of laws in conflict with this Act are repealed.