

Representative Randall of the 138th moves to amend the Committee substitute to HB 378 by inserting after the semicolon on line 6 of page 1 the following:

"to amend Chapter 5 of Title 19 of the Official Code of Georgia Annotated, relating to divorce, so as to provide for counseling under certain circumstances; to specify distribution of marital property under certain circumstances;"

By inserting between lines 31 and 32 of page 2 the following:

**"SECTION 3A.**

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

'19-5-13.

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

**SECTION 3B.**

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

'19-5-18.

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

- (1) A professional counselor, social worker, or marriage and family therapist who is licensed pursuant to Chapter 10A of Title 43;
- (2) A physician who is licensed pursuant to Chapter 34 of Title 43;
- (3) A psychologist who is licensed pursuant to Chapter 39 of Title 43;
- (4) A member of a religious ministry responsible to its established ecclesiastical authority who possesses a master's degree or its equivalent in theological studies; or

(5) A person engaged in the practice of a specialty in accordance with Biblical doctrine in a public or nonprofit agency or entity or in private practice."

\$\$AM 29 0344\$\$

NOT GERMANE