

1 Adopted by House 4-9-2013

2 SB60 H JUD AM 4-5 #1

3 The Committee on the Judiciary moves to amend the bill on page
4 one, following the enacting section, by striking out the remainder
5 of the bill and inserting in lieu thereof the following language:

6 **"ARTICLE 25. CHANGE OF NAME.**

7 **§48-25-101. Petition to circuit court or family court for change**
8 **of name; contents thereof; notice of application.**

9 (a) ~~Any~~ A person desiring a change of his or her own name, or
10 that of his or her child, may apply to the circuit court or family
11 court of the county in which he or she resides by a verified
12 petition setting forth and affirming the following:

13 (1) That he or she has been a bona fide resident of the county
14 for at least one year prior to the filing of the petition or that
15 he or she is a nonresident of the county who was born in the
16 county, was married in the county and was previously a resident of
17 the county for a period of at least fifteen years;

18 (2) The cause for which the change of name is sought;

19 (3) The new name desired;

20 (4) The name change is not for purposes of avoiding debt or
21 creditors;

22 (5) The petitioner seeking the name change is not a registered
23 sex offender pursuant to any state or federal law;

24 (6) The name change sought is not for purposes of avoiding any
25 state or federal law regarding identity;

1 (7) The name change sought is not for any improper or illegal
2 purpose;

3 (8) The petitioner is not a convicted felon in any
4 jurisdiction; ~~and~~

5 (9) The name change sought is not for any purpose of evading
6 detection, identification or arrest by any local, state or federal
7 law-enforcement agency; and

8 (10) Whether or not the petitioner desires to protect his or
9 her identity for personal safety reasons.

10 (b) ~~Prior to~~ After filing the petition and at least ten days
11 before the hearing to consider the application, the person shall
12 cause a notice of the time and place that the application will be
13 made to be published as a Class I legal advertisement in compliance
14 with the provisions of article three, chapter fifty-nine of this
15 code. The petitioner shall in the notice set forth the name to
16 which his or her name will be changed, unless as shown in the
17 petition upon good cause shown to the court, the name change is
18 being requested because the petitioner desires to protect his or
19 her identity for personal safety reasons. Provided, That upon good
20 cause shown, there may be a closed hearing. The publication area
21 for the publication is the county. ~~Provided, That~~ The publication
22 shall contain a provision that the hearing may be rescheduled
23 without further notice or publication.

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