

A BILL

25-42

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

1 To amend Chapter 9 of Title 16 of the District of Columbia Official Code to remove waiting
2 periods for divorce, legal separation, and annulment, to add the history of physical,
3 emotional, or financial abuse by one spouse against the other to the list of relevant factors
4 the Family Court of the Superior Court may consider in awarding alimony and distributing
5 marital property, and to authorize the Family Court of the Superior Court to award
6 exclusive use of the family home or any other dwelling unit as pendente lite relief.
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8 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
9 act may be cited as the “Grounds for Divorce, Legal Separation, and Annulment Amendment Act
10 of 2023”.

11 Sec. 2. Chapter 9 of Title 16 of the District of Columbia Official Code is amended as
12 follows:

13 (a) Section 16-904 is amended as follows:

14 (1) Subsection (a) is amended to read as follows:

15 “(a) A divorce from the bonds of marriage may be granted upon the assertion by one or
16 both parties that they no longer wish to remain married.”.

17 (2) Subsection (b) is amended to read as follows:

18 “(b) A legal separation from bed and board may be granted upon at least one party’s
19 assertion that they intend to pursue a separate life without obtaining a divorce.”.

20 (3) Subsection (c) is repealed.

21 (b) Section 16-910(a)(2)(L) is amended by striking the phrase “the parties” and inserting
22 the phrase “the parties, including the history of physical, emotional, or financial abuse by one
23 party against the other” in its place.

24 (c) Section 16-911(a) is amended as follows:

25 (1) Paragraph (4) is amended by striking the phrase “; and” and inserting a
26 semicolon in its place.

27 (2) Paragraph (5) is amended by striking the period and inserting the phrase “;
28 and” in its place.

29 (3) A new paragraph (6) is added to read as follows:

30 “(6) award exclusive use of the family home or any other dwelling unit which is
31 available for use as a residence pendente lite to either of the parties as is just, equitable, and
32 reasonable, after consideration of all relevant factors, without regard to the respective interests of
33 the parties in the property.”.

34 (d) Section 16-913(d)(5) is amended by striking the phrase “the parties” and inserting the
35 phrase “the parties, including the history of physical, emotional or financial abuse by one party
36 against the other” in its place.

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40 Sec. 3. Fiscal impact statement.

41 The Council adopts the fiscal impact statement in the committee report as the fiscal
42 impact statement required by section 4a of the General Legislative Procedures Act of 1975,
43 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

44 Sec. 4. Effective date.

45 This act shall take effect following approval by the Mayor (or in the event of veto by the
46 Mayor, action by the Council to override the veto), a 30-day period of congressional review as
47 provided in sections 602(c)(1) of the District of Columbia Home Rule Act, approved December
48 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
49 Columbia Register.