

HOUSE BILL No. 2015

By Committee on Judiciary

1-16

1 AN ACT concerning domestic relations; relating to marital property;
2 **dissolution of marriage; service of process;** amending K.S.A. 2012
3 Supp. 23-2601 **and 23-2704** and repealing the existing ~~section~~ **sections**.

4
5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 2012 Supp. 23-2601 is hereby amended to read as
7 follows: 23-2601. The property, real and personal, which any person in this
8 state may own at the time of the person's marriage, and the rents, issues,
9 profits or proceeds thereof, and any real, personal or mixed property which
10 shall come to a person by descent, devise or bequest, and the rents, issues,
11 profits or proceeds thereof, or by gift from any person ~~except the person's~~
12 ~~spouse~~, shall remain the person's sole and separate property,
13 notwithstanding the marriage, and not be subject to the disposal of the
14 person's spouse or liable for the spouse's debts, *except as provided in*
15 *K.S.A. 33-101 et seq. and 33-201 et seq., and amendments thereto.*

16 **Sec. 2. K.S.A. 2012 Supp. 23-2704 is hereby amended to read as**
17 **follows: 23-2704. (a) Verification of petition. The truth of the allegations**
18 **of any petition under this article must be verified by the petitioner in**
19 **person or by the guardian of an incapacitated person.**

20 **(b) Captions. All pleadings shall be captioned, "In the matter of the**
21 **marriage of _____ and _____." In the caption, the name of**
22 **the petitioner shall appear first and the name of the respondent shall**
23 **appear second, but the respective parties shall not be designated as such.**

24 **(c) Contents of petition. The grounds for divorce, annulment or**
25 **separate maintenance shall be alleged as nearly as possible in the**
26 **general language of the statute, without detailed statement of facts. If**
27 **there are minor children of the marriage, the petition shall state their**
28 **names and dates of birth and shall contain, or be accompanied by an**
29 **affidavit which contains, the information required by K.S.A. 2012 Supp.**
30 **23-37,209, and amendments thereto.**

31 **(d) Bill of particulars. The opposing party may demand a statement**
32 **of the facts which shall be furnished in the form of a bill of particulars.**
33 **The facts stated in the bill of particulars shall be the specific facts upon**
34 **which the action shall be tried. If interrogatories have been served on or**
35 **a deposition taken of the party from whom the bill of particulars is**
36 **demand, the court in its discretion may refuse to grant the demand for**

1 *a bill of particulars. A copy of the bill of particulars shall be delivered to*
2 *the judge. The bill of particulars shall not be filed with the clerk of the*
3 *court or become a part of the record except on appeal, and then only*
4 *when the issue to be reviewed relates to the facts stated in the bill of*
5 *particulars. The bill of particulars shall be destroyed by the district judge*
6 *unless an appeal is taken, in which case the bill of particulars shall be*
7 *destroyed upon receipt of the final order from the appellate court.*

8 *(e) Service of process. Service of process shall be made in the*
9 *manner provided in ~~article-27~~ 3 of chapter-~~23~~ 60 of the Kansas Statutes*
10 *Annotated, and amendments thereto.*

11 ~~Sec. 2.~~ 3. K.S.A. 2012 Supp. 23-2601 ~~is~~ *and 23-2704 are* hereby
12 repealed.

13 ~~Sec. 3.~~ 4. This act shall take effect and be in force from and after its
14 publication in the statute book.