

House Engrossed Senate Bill

FILED

**JANICE K. BREWER
SECRETARY OF STATE**

State of Arizona
Senate
Forty-seventh Legislature
Second Regular Session
2006

CHAPTER 164

SENATE BILL 1303

AN ACT

AMENDING SECTION 12-601, ARIZONA REVISED STATUTES; RELATING TO CHANGE OF NAME.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 12-601, Arizona Revised Statutes, is amended to
3 read:

4 12-601. Application; venue; judgment

5 A. ~~When~~ A person WHO desires to change ~~his~~ THE PERSON'S name and to
6 adopt another name, ~~he~~ may file an application in the superior court in the
7 county of ~~his~~ THE PERSON'S residence, setting forth reasons for the change of
8 name and the name ~~he~~ THE PERSON wishes to adopt. The court may enter
9 judgment that the adopted name of the party be substituted for the original
10 name. THE COURT SHALL CONSIDER THE CRITERIA UNDER SUBSECTION C OF THIS
11 SECTION IN DETERMINING WHETHER TO ENTER JUDGMENT THAT THE ADOPTED NAME OF THE
12 PARTY BE SUBSTITUTED FOR THE ORIGINAL NAME.

13 B. The parent, guardian ad litem or next friend of a minor may file an
14 application for change of the name of the minor in the county of the minor's
15 residence. The court shall consider the best interests of the ~~child~~ MINOR
16 AND THE CRITERIA THAT APPLY TO THE MINOR UNDER SUBSECTION C OF THIS SECTION
17 in determining whether to enter judgment that the name of the minor be
18 changed.

19 C. A PERSON WHO FILES AN APPLICATION FOR CHANGE OF NAME SHALL INDICATE
20 UNDER PENALTY OF PERJURY:

21 1. IF THE PERSON HAS BEEN CONVICTED OF A FELONY.

22 2. IF FELONY CHARGES ARE PENDING IN ANY JURISDICTION AGAINST THE
23 PERSON FOR ANY OFFENSE UNDER TITLE 13, CHAPTER 18, 20, 21, 22, 23 OR 27 OR
24 ANY OTHER OFFENSE INVOLVING FALSE STATEMENTS OR MISREPRESENTATIONS ABOUT THE
25 PERSON'S IDENTITY.

26 3. IF THE PERSON IS KNOWINGLY CHANGING THE PERSON'S NAME TO THAT OF
27 ANOTHER INDIVIDUAL FOR THE PURPOSE OF COMMITTING OR FURTHERING THE COMMISSION
28 OF ANY OFFENSE UNDER TITLE 13, CHAPTER 18, 20, 21, 22, 23 OR 27 OR ANY OTHER
29 OFFENSE INVOLVING FALSE STATEMENTS.

30 4. THE PERSON IS MAKING THE APPLICATION SOLELY FOR THE BEST INTEREST
31 OF THE PERSON.

32 5. THE PERSON ACKNOWLEDGES THAT THE CHANGE OF NAME WILL NOT RELEASE
33 THE PERSON FROM ANY OBLIGATIONS INCURRED OR HARM ANY RIGHTS OF PROPERTY OR
34 ACTIONS IN THE ORIGINAL NAME.

35 D. NOTWITHSTANDING ANY LAW TO THE CONTRARY, A VICTIM AS DEFINED IN
36 SECTION 13-4401 OR A PROSECUTOR HAS STANDING TO CONTEST ANY LEGAL NAME CHANGE
37 AT ANY TIME BEFORE THE ENTRY OF JUDGMENT OR UP TO ONE YEAR AFTER ENTRY OF
38 JUDGMENT.

39 E. ON ENTERING A CONVICTION FOR AN OFFENSE UNDER TITLE 13, CHAPTER 18,
40 20, 21, 22, 23 OR 27 OR ANY OTHER OFFENSE INVOLVING FALSE STATEMENTS OR
41 MISREPRESENTATIONS ABOUT THE PERSON'S IDENTITY, THE SUPERIOR COURT MAY ENTER
42 AN ORDER SETTING ASIDE A CHANGE OF NAME JUDGMENT OR DENY ANY PENDING
43 APPLICATION.

APPROVED BY THE GOVERNOR APRIL 17, 2006.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 17, 2006.