

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 SENATE BILL 228

By: Deever

5 AS INTRODUCED

6 An Act relating to covenant marriage; creating the
7 Covenant Marriage Act of Oklahoma; providing short
8 title; stating legislative findings; defining term;
9 requiring Declaration of Intent to include certain
statement; establishing signature requirements;
establishing requirements for entering into covenant
marriage; establishing requirements for covenant
marriage license; authorizing conversion of certain
marriage licenses; establishing procedures for
conversion of certain licenses; requiring State
Commissioner of Health to promulgate rules;
establishing requirements for dissolution of covenant
marriage; requiring certain counseling; providing
credit for a covenant marriage; stipulating credit
amount; requiring claim for credit to be made on a
form prescribed by the Oklahoma Tax Commission;
prohibiting refundability of credit; authorizing the
carry forward of credit; providing for
noncodification; providing for codification;
providing an effective date; and declaring an
emergency.

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18 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

19 SECTION 1. NEW LAW A new section of law not to be
20 codified in the Oklahoma Statutes reads as follows:

21 A. This act shall be known and may be cited as the "Covenant
22 Marriage Act of Oklahoma".

23 B. The Legislature of the State of Oklahoma finds that marriage
24 is a lifelong commitment and the foundation of a stable and healthy

1 society. To strengthen the institution of marriage and to promote
2 the religious freedom of those who wish to enter into a marital
3 union under religious terms, this act establishes the option of a
4 covenant marriage, which emphasizes the sacredness and utmost
5 importance to the flourishing of individuals and societies of the
6 institution of marriage.

7 SECTION 2. NEW LAW A new section of law to be codified
8 in the Oklahoma Statutes as Section 21 of Title 43, unless there is
9 created a duplication in numbering, reads as follows:

10 A. As used in this act, "Declaration of Intent" means a
11 document signed by both parties at the time of applying for a
12 covenant marriage license that affirms their commitment to the
13 principles of a covenant marriage.

14 B. The Declaration of Intent for a covenant marriage shall
15 include the following statement to be signed by both parties:

16 "We do solemnly declare that marriage is a lifelong covenant
17 made before God. We have chosen each other carefully and
18 disclosed to one another everything that could adversely affect
19 the decision to enter into this marriage. We have received
20 premarital counseling on the nature, purposes, and
21 responsibilities of marriage. We have read the Covenant
22 Marriage Act of Oklahoma, and we understand that a covenant
23 marriage is for life. If we experience marital difficulties, we
24 commit ourselves to take all reasonable efforts to preserve our

1 marriage, including marital counseling. With full knowledge of
2 what this commitment means, we do hereby declare that our
3 marriage will be bound by the laws of the State of Oklahoma on
4 covenant marriages, and we promise to love, honor, and care for
5 one another as spouses for the rest of our lives."

6 Both parties must sign the document in the presence of two witnesses
7 and a notary public.

8 SECTION 3. NEW LAW A new section of law to be codified
9 in the Oklahoma Statutes as Section 22 of Title 43, unless there is
10 created a duplication in numbering, reads as follows:

11 A. Couples intending to enter into a covenant marriage shall,
12 in addition to submitting other marriage-related documents required
13 by law:

14 1. Sign a Declaration of Intent. Both parties must sign the
15 Declaration of Intent, as outlined in Section 2 of this act;

16 2. Undergo premarital counseling. The parties shall complete
17 marriage counseling from a minister, clergy member, or counselor;
18 and

19 3. File the Declaration of Intent. The signed declaration must
20 be filed with the marriage license application at the county clerk's
21 office.

22 B. A marriage license issued under this section shall clearly
23 indicate it is a covenant marriage license and shall be in strict
24 facial compliance with the requirements of Section 3 of Title 43 of

1 the Oklahoma Statutes. An application for a covenant marriage
2 license shall include the following statement: "We, (name of
3 intended spouse) and (name of intended spouse), do hereby declare
4 our intent to contract a covenant marriage and, accordingly, have
5 executed a Declaration of Intent attached hereto."

6 C. An existing marriage license may be converted to a covenant
7 marriage license upon the agreement of both spouses. To convert an
8 existing marriage license, the couple shall:

- 9 1. Sign the Declaration of Intent;
- 10 2. Complete counseling on the nature and responsibilities of a
11 covenant marriage; and
- 12 3. File the signed Declaration of Intent with the county
13 clerk's office.

14 SECTION 4. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 23 of Title 43, unless there is
16 created a duplication in numbering, reads as follows:

17 The State Commissioner of Health shall promulgate rules for the
18 administration of covenant marriage licenses and maintain records of
19 covenant marriage declarations.

20 SECTION 5. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 101.1 of Title 43, unless there
22 is created a duplication in numbering, reads as follows:

1 A. Divorce in a Covenant Marriage shall only be granted if one
2 spouse can demonstrate by a preponderance of the evidence that the
3 other spouse has committed one or more of the following acts:

4 1. Abandonment. The spouse has abandoned the petitioner for a
5 continuous period of at least one (1) year without justification,
6 which shall include, but not be limited to, time in prison;

7 2. Abuse. The spouse has committed physical or sexual abuse
8 against the petitioner or their child; or

9 3. Adultery. The spouse has committed adultery during the
10 marriage.

11 B. Couples in a covenant marriage shall be encouraged to seek
12 counseling in the event of marital difficulties. Marital counseling
13 shall be required prior to filing for divorce, except in cases
14 involving abuse or criminal conviction. Counseling shall be
15 provided by a minister, clergy member, or counselor.

16 SECTION 6. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 2357.414 of Title 68, unless
18 there is created a duplication in numbering, reads as follows:

19 A. For tax year 2025 and subsequent tax years, there shall be
20 allowed a credit against the tax imposed pursuant to Section 2355 of
21 Title 68 of the Oklahoma Statutes for individual taxpayers in a
22 marriage resulting from the issuance of a covenant marriage license
23 pursuant to the provisions of Section 3 of this act.

1 B. The credit authorized pursuant to subsection A of this
2 section shall be in the amount of Two Thousand Five Hundred Dollars
3 (\$2,500.00) for taxpayers filing as married filing jointly or One
4 Thousand Two Hundred Fifty Dollars (\$1,250.00) for each taxpayer
5 filing as married filing separately.

6 C. Claims for credit authorized pursuant to this section shall
7 be made on a form prescribed by the Oklahoma Tax Commission and
8 shall include written certification that the taxpayers are married
9 through the issuance of a covenant marriage license as provided
10 pursuant to Section 3 of this act.

11 D. The credit allowed pursuant to the provisions of this
12 section shall not be used to reduce the income tax liability of the
13 taxpayer to less than zero (0).

14 E. If the amount of the credit allowed pursuant to this section
15 exceeds the income tax liability, the amount of credit not used in
16 any tax year may be carried forward, in order, to each of the five
17 (5) subsequent tax years.

18 SECTION 7. This act shall become effective July 1, 2025.

19 SECTION 8. It being immediately necessary for the preservation
20 of the public peace, health or safety, an emergency is hereby
21 declared to exist, by reason whereof this act shall take effect and
22 be in full force from and after its passage and approval.