

HOUSE BILL NO. 1254

Introduced by

Representative Vetter

Senator Meyer

1 A BILL ~~for an Act to amend and reenact section 14-05-24.1 of the North Dakota Century Code,~~
2 ~~relating to spousal support.~~ for an Act to provide for a legislative management study of the types
3 of spousal support ordered by the district court.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 ~~— **SECTION 1. AMENDMENT.** Section 14-05-24.1 of the North Dakota Century Code is~~
6 ~~amended and reenacted as follows:~~

7 ~~— **14-05-24.1. Spousal support.**~~

8 ~~— 1. Taking into consideration the circumstances of the parties, the court may require one~~
9 ~~party to pay spousal support to the other party for a limited period of time not to~~
10 ~~exceed eighteen years, in accordance with this section. The court may modify its~~
11 ~~spousal support orders but may not increase a spousal support award to an amount~~
12 ~~higher than the originally ordered amount, except to correct clerical errors.~~

13 ~~— 2. Unless otherwise agreed to by the parties in writing, spousal support is terminated~~
14 ~~upon the remarriage of the spouse receiving support. Immediately upon remarriage,~~
15 ~~the spouse receiving support shall provide notice of the remarriage to the payor~~
16 ~~spouse at the last known address of the payor spouse.~~

17 ~~— 3. Unless otherwise agreed to by the parties in writing, upon an order of the court based~~
18 ~~upon a preponderance of the evidence that the spouse receiving support has been~~
19 ~~habitually cohabiting with another individual in a relationship analogous to a marriage~~
20 ~~for one year or more, the court shall terminate spousal support.~~

21 ~~— 4. Subsections 2 and 3 do not apply to rehabilitative spousal support.~~

22 **SECTION 1. LEGISLATIVE MANAGEMENT STUDY - SPOUSAL SUPPORT.** During the
23 2021-22 interim, the legislative management shall study the types of spousal support ordered
24 by the district court and the desirability and feasibility of providing statutory guidance for awards

1 of spousal support. The study must include input from practicing attorneys in the area of family
2 law and the division of child support. The study must include a review of the frequency and
3 duration of spousal support awards that are entered in the state. The legislative management
4 shall report its findings and recommendations, together with any legislation required to
5 implement the recommendations, to the sixty-eighth legislative assembly.