

HOUSE BILL NO. 1399

Introduced by

Representatives Looyesen, Beadle, Brabandt, Dockter, Kading, Klemin, Maragos, Ruby,
Steiner

Senators Casper, Larsen

1 A BILL for an Act to amend and reenact section 14-05-24.1 of the North Dakota Century Code,
2 relating to the termination of spousal support; and to provide for application.

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

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

6 **14-05-24.1. Spousal support - Termination.**

7 1. Taking into consideration the circumstances of the parties, the court may require one
8 party to pay spousal support to the other party for any period of time in accordance
9 with this section. The court may modify its spousal support orders.

10 2. Unless otherwise agreed to by the parties in writing, spousal support is terminated
11 upon the remarriage of the spouse receiving support. Immediately upon remarriage,
12 the spouse receiving support shall provide notice of the remarriage to the payor
13 spouse at the last known address of the payor spouse.

14 3. Unless otherwise agreed to by the parties in writing, upon an order of the court based
15 upon clear and convincing evidence that the spouse receiving support has been
16 habitually cohabiting with another individual in a relationship analogous to a marriage
17 for five years or more, the court shall terminate spousal support.

18 **SECTION 2. APPLICATION.** Subsection 2 of section 1 of this Act applies to any spousal
19 support order, regardless of date of issuance, but applies only to spousal support payments
20 accruing after the effective date of this Act. Subsection 3 of section 1 of this Act applies to any
21 spousal support order, regardless of the date of issuance, but applies only to spousal support
22 payments accruing after a court order for termination of spousal support.