21.0706.01000

Sixty-seventh
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1254

Introduced by

Representative Vetter

Senator Meyer

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

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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

14-05-24.1. Spousal support.

1. Taking into consideration the circumstances of the parties, the court may require one party to pay spousal support to the other party for a ~~limited~~ period of time not to exceed eighteen years, in accordance with this section. The court may modify ~~its~~ spousal support orders but may not increase a spousal support award to an amount higher than the originally ordered amount, except to correct clerical errors.
2. Unless otherwise agreed to by the parties in writing, spousal support is terminated upon the remarriage of the spouse receiving support. Immediately upon remarriage, the spouse receiving support shall provide notice of the remarriage to the payor spouse at the last known address of the payor spouse.
3. Unless otherwise agreed to by the parties in writing, upon an order of the court based upon a preponderance of the evidence that the spouse receiving support has been habitually cohabiting with another individual in a relationship analogous to a marriage for one year or more, the court shall terminate spousal support.
4. Subsections 2 and 3 do not apply to rehabilitative spousal support.