

I support HB1121.

Currently, in North Dakota, all assets and debts are subject to division by the court. There is no such thing as non-marital assets or debts.

The current statute directs the court to divide everything in a just and equitable manner. The source of the asset is a factor but not dispositive regarding of how the asset or debt will be allocated. Sometimes, the recipient of a gift or inheritance is awarded the asset. At other times, the gift or inheritance either is divided or even transferred to the other spouse.

HB1121 would create a non-marital category. The Court would lose authority to distribute non-marital assets. In other words, the recipient of the gift or inheritance would receive the gift or inheritance.

HB1121 promotes certainty and will likely promote settlement thereby reducing court time. HB1121 also preserves family businesses, such as family farms.

I support 1121.