

CHAPTER 178
HB 320-FN - FINAL VERSION

2025 SESSION

25-0383
09/11

HOUSE BILL

320-FN

AN ACT relative to enforcement of marital property settlements.

SPONSORS: Rep. Markell, Rock. 18; Rep. DeSimone, Rock. 18; Rep. Bernardy, Rock. 36; Rep. L. Walsh, Rock. 15; Rep. M. Pearson, Rock. 34

COMMITTEE: Children and Family Law

ANALYSIS

This bill enacts standards governing a motion or petition for contempt or for the enforcement of a property settlement or decree of divorce, including allowing a respondent to argue that the term is invalid.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Five

AN ACT relative to enforcement of marital property settlements.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 178:1 New Section; Annulment, Divorce, and Separation; Enforcement; Defense. Amend RSA 458
2 by inserting after section 51 the following new section:

3 458:51-a Enforcement; Defense.

4 I. Upon motion or petition by a party for enforcement of a final property settlement or decree of
5 divorce, or for contempt related to any proceeding under this chapter, the court shall enforce such
6 settlement or decree according to its terms, unless the settlement or decree or relevant part thereof, is
7 shown to be invalid due to fraud, duress, deceit, impossibility, misrepresentation, mutual mistake, undue
8 influence, or subsequent illegality by a preponderance of the evidence.

9 II. In the enforcement of any such final decree, the court shall fashion remedies that place the
10 parties in the position as if the decree had been fully performed according to its terms.

11 III. This section shall apply to any motion or petition filed after the effective date of this section,
12 regardless of when the underlying settlement or decree was entered.

13 178:2 Effective Date. This act shall take effect January 1, 2026.

Approved: July 15, 2025
Effective Date: January 01, 2026

