

Amendment to HB 1228

1 Amend the title of the bill by replacing it with the following:

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3 AN ACT relative to the enforcement of alimony orders and relative to waivers of alimony.

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5 Amend the bill by replacing section 1 with the following:

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7 1 New Paragraphs; Term and Reimbursement Alimony. Amend RSA 458:19-a by inserting after
8 paragraph VI the following new paragraphs:

9 VII. Orders for the payment of past due amounts of alimony shall be enforced according to
10 their terms unless modified by an agreement of the parties or pursuant to RSA 458:19-aa.

11 VIII. Agreements in which the parties waive any and all rights to past, present, or future
12 alimony, or any portion thereof, shall be given full force and effect unless the agreement is found by
13 a preponderance of the evidence to be invalid due to coercion, deceit, duress, fraud, mutual mistake,
14 material misrepresentation, supervening illegality, or where such enforcement would be
15 unconscionable or the facts and circumstances have changed since the agreement was executed so as
16 to make the agreement unenforceable.

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AMENDED ANALYSIS

This bill:

- I. Requires that orders for the payment of past due amounts of alimony shall be enforced according to their terms unless modified by an agreement or statute.
- II. Requires waivers of alimony to be enforced unless the waiver is found invalid.