

HB 325 - AS INTRODUCED

2025 SESSION

25-0460

11/09

HOUSE BILL **325**

AN ACT eliminating term and reimbursement alimony in divorces granted on grounds of irreconcilable differences.

SPONSORS: Rep. Barton, Graf. 1; Rep. DeSimone, Rock. 18; Rep. Spillane, Rock. 2

COMMITTEE: Children and Family Law

ANALYSIS

This bill restricts alimony awards to divorces granted on grounds other than irreconcilable differences, otherwise known as fault grounds.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Five

AN ACT eliminating term and reimbursement alimony in divorces granted on grounds of irreconcilable differences.

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

1 1 Alimony; Irreconcilable Differences. Amend the introductory paragraph of RSA 458:19-a, I to
2 read as follows:

3 I. The court may order term alimony ***solely in divorce cases decreed in favor of the***
4 ***innocent party under RSA 458:7***, upon agreement of the parties or in the absence of an
5 agreement, at the request of either party by petition or motion in a case for divorce, legal separation,
6 or annulment. Any request for alimony shall be made either before the final decree is effective or not
7 later than 5 years from the effective date. The purpose of term alimony is to allow both parties to
8 maintain a reasonable standard of living. If the issue of term alimony is contested, the court may
9 order term alimony only if it finds that:

10 2 Reimbursement Alimony; Fault Divorce. Amend the introductory paragraph of RSA 458:19-a,
11 V to read as follows:

12 V. The court may order reimbursement alimony ***solely in divorce cases decreed in favor***
13 ***of the innocent party under RSA 458:7***, upon agreement of the parties or in the absence of an
14 agreement, at the request of either party by petition or motion in a case for divorce, legal separation,
15 or annulment. The request for reimbursement alimony shall be made before the final decree is
16 effective. The purpose of reimbursement alimony is to compensate the payee for economic or non-
17 economic contribution to the financial resources of the payor, where the property subject to division
18 under RSA 458:16-a is either inappropriate or inadequate to provide such compensation. The
19 contribution to the payor's financial resources may include support of education or job training, or an
20 investment of time or money. The following shall apply to reimbursement alimony orders:

21 3 New Paragraph; Alimony; Non-Retroactive. Amend RSA 458:19-a by inserting after
22 paragraph VI the following new paragraph:

23 VII. The provisions of this section shall not be applied retroactively to any divorce decree
24 that includes alimony and was granted on grounds of irreconcilable differences under RSA 458:7-a.

25 4 Effective Date. This act shall take effect July 1, 2025.