

HOUSE BILL NO. HB0091

Alimony termination.

Sponsored by: Representative(s) Lone, Blackburn, Brown and
Olsen

A BILL

for

1 AN ACT relating to domestic relations; providing grounds
2 and procedures for terminating alimony or other allowance;
3 requiring provisions in a court's alimony decree; requiring
4 notice of remarriage or death of a party; specifying
5 applicability of provisions; and providing for an effective
6 date.

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8 *Be It Enacted by the Legislature of the State of Wyoming:*

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10 **Section 1.** W.S. 20-2-114 by creating a new subsection
11 (c) and 20-2-116 are amended to read:

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13 **20-2-114. Disposition of property to be equitable;**
14 **factors; alimony generally.**

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1 (c) In entering a decree of alimony pursuant to this
2 section, a court shall require in the written order that a
3 party who remarries within the period during which alimony
4 is set out shall within thirty (30) days after the
5 remarriage file a notice of the remarriage with the court
6 that entered the alimony decree and shall serve a copy of
7 the notice on the former paying party. The court may hold
8 an obligated party in contempt for failing to provide the
9 ordered notice.

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11 **20-2-116. Revision and termination of alimony and**
12 **other allowances.**

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14 (a) After a decree for alimony or other allowance for
15 a party or children and after a decree for the appointment
16 of trustees to receive and hold any property for the use of
17 a party or children pursuant to W.S. 20-2-314, the court
18 may from time to time, on the petition of either of the
19 parties, revise and alter the decree respecting the amount
20 of the alimony or allowance or the payment thereof and
21 respecting the appropriation and payment of the principal
22 and income of the property so held in trust and may make

1 any decree respecting any of the matters ~~which~~that the
2 court might have made in the original action.

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4 (b) Upon the remarriage of a party in whose favor a
5 final decree for alimony has been entered, all rights to
6 receive, and all duties to pay, alimony shall automatically
7 terminate for all payments due after the date of the
8 remarriage, unless the final decree or a written agreement
9 between the parties approved by the court provides
10 specifically for the payments to continue after remarriage.

11
12 (c) In any proceeding relating to the payment of
13 alimony to a remarried party, the court shall consider any
14 failure of the remarried party to file a notice of
15 remarriage pursuant to W.S. 20-2-114(c) when awarding
16 attorney's fees and costs for the proceeding and when
17 determining reimbursement to the former paying party.

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19 (d) After the death of either party to a final decree
20 for alimony or other allowance all rights to receive, and
21 all duties to pay, alimony or other allowance shall
22 automatically terminate for all payments due after the date
23 of death, unless the final decree or a written agreement

1 between the parties approved by the court provides
2 specifically for the payments to continue after the death
3 of a party, except that arrearages that have accrued before
4 the death of a party shall not be vacated or annulled. The
5 deceased party's estate shall file a notice of the death
6 with the court that entered the alimony decree.

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8 **Section 2.** This act shall apply to a final decree for
9 alimony entered on or after July 1, 2017.

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11 **Section 3.** This act is effective July 1, 2017.

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(END)