



General Assembly

January Session, 2011

Committee Bill No. 376

LCO No. 4241

04241SB00376VA_

Referred to Committee on Select Committee on Veterans' Affairs

Introduced by:
(VA)

AN ACT CONCERNING DISABILITY COMPENSATION FOR VETERANS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (c) of section 46b-81 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2011*):

4 (c) In fixing the nature and value of the property, if any, to be
5 assigned, the court, after hearing the witnesses, if any, of each party,
6 except as provided in subsection (a) of section 46b-51, shall consider
7 the length of the marriage, the causes for the annulment, dissolution of
8 the marriage or legal separation, the age, health, station, occupation,
9 amount and sources of income, vocational skills, employability, estate,
10 liabilities and needs of each of the parties and the opportunity of each
11 for future acquisition of capital assets and income. The court shall also
12 consider the contribution of each of the parties in the acquisition,
13 preservation or appreciation in value of their respective estates. The
14 court shall exclude from the amount and sources of income considered
15 in this subsection any amount of disability compensation received by
16 either party from the United States Department of Veterans Affairs.

17 Sec. 2. Subsection (a) of section 46b-82 of the general statutes is
18 repealed and the following is substituted in lieu thereof (*Effective*
19 *October 1, 2011*):

20 (a) At the time of entering the decree, the Superior Court may order
21 either of the parties to pay alimony to the other, in addition to or in
22 lieu of an award pursuant to section 46b-81. The order may direct that
23 security be given therefor on such terms as the court may deem
24 desirable, including an order pursuant to subsection (b) of this section
25 or an order to either party to contract with a third party for periodic
26 payments or payments contingent on a life to the other party. The
27 court may order that a party obtain life insurance as such security
28 unless such party proves, by a preponderance of the evidence, that
29 such insurance is not available to such party, such party is unable to
30 pay the cost of such insurance or such party is uninsurable. In
31 determining whether alimony shall be awarded, and the duration and
32 amount of the award, the court shall hear the witnesses, if any, of each
33 party, except as provided in subsection (a) of section 46b-51, shall
34 consider the length of the marriage, the causes for the annulment,
35 dissolution of the marriage or legal separation, the age, health, station,
36 occupation, amount and sources of income, vocational skills,
37 employability, estate and needs of each of the parties and the award, if
38 any, which the court may make pursuant to section 46b-81, and, in the
39 case of a parent to whom the custody of minor children has been
40 awarded, the desirability of such parent's securing employment. The
41 court shall exclude from the amount and sources of income considered
42 in this subsection any amount of disability compensation received by
43 either party from the United States Department of Veterans Affairs.

44 Sec. 3. Subsection (d) of section 46b-84 of the general statutes is
45 repealed and the following is substituted in lieu thereof (*Effective*
46 *October 1, 2011*):

47 (d) In determining whether a child is in need of maintenance and, if
48 in need, the respective abilities of the parents to provide such

49 maintenance and the amount thereof, the court shall consider the age,
50 health, station, occupation, earning capacity, amount and sources of
51 income, estate, vocational skills and employability of each of the
52 parents, and the age, health, station, occupation, educational status
53 and expectation, amount and sources of income, vocational skills,
54 employability, estate and needs of the child. The court shall exclude
55 from the amount and sources of income considered in this subsection
56 any amount of disability compensation received by either such parent
57 from the United States Department of Veterans Affairs.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2011	46b-81(c)
Sec. 2	October 1, 2011	46b-82(a)
Sec. 3	October 1, 2011	46b-84(d)

Statement of Purpose:

To require the Superior Court to exclude from the amount and sources of income considered in determining orders for (1) alimony or property assignment in an action for marital dissolution, annulment or legal separation, or (2) child support, any disability income received by either party from the United States Department of Veterans Affairs.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: SEN. MAYNARD, 18th Dist.

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