



General Assembly

Substitute Bill No. 932

January Session, 2013



**AN ACT EXCLUDING VETERANS' DISABILITY COMPENSATION
FROM PROPERTY ASSIGNMENT AND ALIMONY IN DISSOLUTION
OF MARRIAGE PROCEEDINGS.**

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2 repealed and the following is substituted in lieu thereof (*Effective from*
3 *passage*):

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18 repealed and the following is substituted in lieu thereof (*Effective from*
19 *passage*):

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

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	46b-81(c)
Sec. 2	<i>from passage</i>	46b-82(a)

Statement of Legislative Commissioners:
 In section 2, "as amended by this act" was added for clarity.

VA *Joint Favorable Substitute - LCO C/R* **JUD**

