



General Assembly

Amendment

February Session, 2014

LCO No. 5681

HB0552405681HDO

Offered by:
REP. FOX, 146th Dist.

To: Subst. House Bill No. 5524 File No. 632 Cal. No. 402

"AN ACT CONCERNING THE RECOMMENDATIONS OF THE LAW REVISION COMMISSION WITH RESPECT TO THE ALIMONY STATUTES."

1 Strike lines 129 to 173, inclusive, in their entirety and substitute the
2 following in lieu thereof:

3 "(b) (1) In an action for divorce, dissolution of marriage, legal
4 separation or annulment brought by a spouse, in which a final
5 judgment has been entered providing for the payment of periodic
6 alimony by one party to the other spouse, the Superior Court may, in
7 its discretion and upon notice and hearing, modify such judgment and
8 suspend, reduce or terminate the payment of periodic alimony upon a
9 showing that the party receiving the periodic alimony is living with
10 another person under circumstances which the court finds should
11 result in the modification, suspension, reduction or termination of
12 alimony because the living arrangements cause such a change of
13 circumstances as to alter the financial needs of that party. [In the event
14 that]

15 (2) (A) If the party paying periodic alimony pursuant to a final
16 judgment files a motion to modify the judgment requiring the payment
17 of periodic alimony on the ground that such party is retired from
18 employment and has attained the age of sixty-five, the burden of
19 proving that such alimony should not be modified shall be on the
20 party receiving the periodic alimony.

21 (B) If the party paying periodic alimony files a motion to modify the
22 judgment requiring the payment of periodic alimony on the ground
23 that such party is retired from employment, and such party has not
24 attained the age of sixty-five, the burden of proving that such alimony
25 should be modified shall be on the party paying periodic alimony. The
26 Superior Court shall consider the evidence presented by each party
27 concerning the relevant facts and circumstances concerning the
28 retirement.

29 (C) In any modification proceeding under subparagraph (A) or (B)
30 of this subdivision, the court, after notice and hearing, shall determine
31 what modification of alimony, if any, is appropriate after considering
32 the evidence presented by each party and the relevant criteria set forth
33 in section 46b-82, as amended by this act.

34 (3) If a final judgment incorporates a provision of an agreement in
35 which the parties agree to circumstances, other than as provided in this
36 subsection, under which alimony will be modified, including the
37 suspension, reduction, or termination of alimony, the court shall
38 enforce the provision of such agreement and enter orders in
39 accordance [therewith] with such agreement."

40 After the last section, add the following and renumber sections and
41 internal references accordingly:

42 "Sec. 501. Section 54-66a of the 2014 supplement to the general
43 statutes, as amended by section 8 of substitute senate bill 389 of the
44 current session, is repealed and the following is substituted in lieu
45 thereof (*Effective October 1, 2014*):

46 Any bail bond posted in any criminal proceeding in this state shall
 47 be automatically terminated and released whenever the defendant: (1)
 48 Is granted accelerated rehabilitation pursuant to section 54-56e; (2) is
 49 granted admission to the pretrial alcohol education program pursuant
 50 to section 54-56g; (3) is granted admission to the pretrial family
 51 violence education program pursuant to section 46b-38c; (4) is granted
 52 admission to the pretrial drug education and community service
 53 program pursuant to section 54-56i; (5) has the complaint or
 54 information filed against such defendant dismissed; (6) has the
 55 prosecution of the complaint or information filed against such
 56 defendant terminated by entry of a nolle prosequi; (7) is acquitted; (8)
 57 is sentenced by the court; [and a stay of such sentence, if any, is lifted;]
 58 (9) is granted admission to the pretrial school violence prevention
 59 program pursuant to section 54-56j; (10) is charged with a violation of
 60 section 29-33, 53-202l or 53-202w, and prosecution has been suspended
 61 pursuant to subsection (h) of section 29-33; (11) is charged with a
 62 violation of section 29-37a and prosecution has been suspended
 63 pursuant to subsection (i) of section 29-37a; or (12) is granted
 64 admission to the supervised diversionary program for persons with
 65 psychiatric disabilities pursuant to section 54-56l."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	October 1, 2014	54-66a