

General Assembly  
January Session, 2013

**Raised Bill No. 1155**

LCO No. 4906

\*04906 \_\_\_\_\_ JUD\*

Referred to Committee on JUDICIARY

Introduced by:

(JUD)

**AN ACT CONCERNING REVISIONS TO STATUTES RELATING TO DISSOLUTION OF MARRIAGE, LEGAL SEPARATION AND ANNULMENT.**

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

EXCERPTS

\* \* \* \*

Sec. 4. Section 46b-81 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(c) When determining the amount of annual alimony to be awarded, the court may utilize the calculation set forth in this subsection to determine such amount. The amount of annual alimony may be determined by (1) calculating thirty per cent of the annual gross income of the party with the higher gross income, and (2) subtracting from the amount determined pursuant to subdivision (1) of this subsection, twenty per cent of the annual gross income of the party with the lower gross income. The amount of annual alimony shall not result in the party with lower annual gross income having in excess of forty per cent of the combined annual gross income of the parties. The calculation for determining the amount of annual alimony set forth in this subsection is neither mandatory nor presumptive and shall supplement but not supersede the factors set forth in subsection (a) of this section. The calculation set forth in this subsection shall not be utilized when the combined annual gross income of the parties exceeds one million dollars. For purposes of this subsection, "gross income" has the same meaning as provided in the child support and arrearage guidelines published pursuant to section 46b-215a, less Social Security taxes or mandatory retirement contributions in lieu thereof, Medicare taxes, including self-employment taxes and court ordered alimony and support obligations for former spouses or children not of the marriage.

Sec. 5. Section 46b-82 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

\* \* \* \*

(b) In an action for divorce, dissolution of marriage, legal separation or annulment brought by a husband or wife, in which a final judgment has been entered providing for the payment of periodic alimony by one party to the other, the Superior Court may, in its discretion and upon notice and hearing, modify such judgment and suspend, reduce or terminate the payment of periodic alimony upon a showing that the party receiving the periodic alimony is living with another person under circumstances which the court finds should result in the modification, suspension, reduction or termination of alimony because the living arrangements [cause such a change of circumstances as to alter the financial needs of that party] have changed the financial circumstances of the alimony recipient. In the event that any final judgment incorporates the agreement of the parties setting forth a provision for modification of the judgment, including suspension, reduction or termination of periodic alimony, based upon the living arrangements of the alimony recipient on terms and conditions other than those set forth in this subsection, the court shall enforce that judgment and modify the judgment, if appropriate, and suspend, reduce or terminate the payment of periodic alimony in accordance with the terms and conditions of the judgment.