

1 HB590  
2 118373-1  
3 By Representative Williams (P)  
4 RFD: Judiciary  
5 First Read: 17-FEB-10

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8 SYNOPSIS: Existing law terminates alimony payments  
9 upon proof that the spouse receiving alimony has  
10 remarried or is living openly or cohabiting with a  
11 member of the opposite sex.

12 This bill would limit alimony payments to  
13 five years or to the length of the marriage,  
14 whichever is greater.

15  
16 A BILL  
17 TO BE ENTITLED  
18 AN ACT

19  
20 To amend Section 30-2-55, Code of Alabama 1975,  
21 relating to termination of alimony; to limit alimony payments  
22 to five years or to the length of the marriage, whichever is  
23 greater.

24 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

25 Section 1. Section 30-2-55 of the Code of Alabama  
26 1975, is amended to read as follows:

27 "§30-2-55.

1           "a) Any decree of divorce providing for periodic  
2 payments of alimony shall be modified by the court to provide  
3 for the termination of such alimony upon petition of a party  
4 to the decree and proof that the spouse receiving such alimony  
5 has remarried or that such spouse is living openly or  
6 cohabiting with a member of the opposite sex. This provision  
7 shall be applicable to any person granted a decree of divorce  
8 either prior to April 28, 1978, or thereafter; provided,  
9 however, that no payments of alimony already received shall  
10 have to be reimbursed.

11           "b) Payments of alimony shall be limited to five  
12 years or to the length of time of the marriage, whichever is  
13 greater."

14           Section 2. This act shall become effective on the  
15 first day of the third month following its passage and  
16 approval by the Governor, or its otherwise becoming law.