

**FIRST ENGROSSMENT  
with Conference Committee Amendments  
ENGROSSED HOUSE BILL NO. 1399**

Introduced by

Representatives Looyesen, Beadle, Brabandt, Dockter, Kading, Klemin, Maragos, Ruby,  
Steiner

Senators Casper, Larsen

1 A BILL for an Act to amend and reenact section 14-05-24.1 of the North Dakota Century Code,  
2 relating to termination of spousal support; to provide for a legislative management study; and to  
3 provide for application.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Section 14-05-24.1 of the North Dakota Century Code is  
6 amended and reenacted as follows:

7 **14-05-24.1. Spousal support.**

8 1. Taking into consideration the circumstances of the parties, the court may require one  
9 party to pay spousal support to the other party for ~~any~~ limited period of time in  
10 accordance with this section. The court may modify its spousal support orders.

11 2. ~~Unless otherwise agreed to by the parties in writing, spousal support is terminated~~  
12 upon the remarriage of the spouse receiving support. Immediately upon remarriage,  
13 the spouse receiving support shall provide notice of the remarriage to the payor  
14 spouse at the last known address of the payor spouse.

15 3. ~~Unless otherwise agreed to by the parties in writing, upon an order of the court based~~  
16 upon a preponderance of the evidence that the spouse receiving support has been  
17 habitually cohabiting with another individual in a relationship analogous to a marriage  
18 for one year or more, the court shall terminate spousal support.

19 4. ~~Subsections 2 and 3 do not apply to rehabilitative spousal support.~~

20 **SECTION 2. LEGISLATIVE MANAGEMENT STUDY - SPOUSAL SUPPORT.** During the  
21 2015-16 interim, the legislative management shall consider studying the types of spousal  
22 support ordered by the district courts and the desirability of providing statutory guidance for  
23 awards of spousal support. The legislative management shall report its findings and

1 recommendations, together with any proposed legislation required to implement the  
2 recommendations, to the sixty-fifth legislative assembly.

3 **SECTION 3. APPLICATION.** Subsection 2 of section 1 of this Act applies to any spousal  
4 support order, regardless of date of issuance, but applies only to spousal support payments  
5 accruing after the effective date of this Act. Subsection 3 of section 1 of this Act applies to any  
6 spousal support order, regardless of the date of issuance, but applies only to spousal support  
7 payments accruing after a court order for termination of spousal support.