

HOUSE BILL NO. 1319

Introduced by

Representatives Klemin, Devlin, Dockter, Lefor

Senator Dwyer

1 A BILL for an Act to amend and reenact sections 14-07-08 and 14-07-11 of the North Dakota
2 Century Code, relating to spousal debts.

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

4 **SECTION 1. AMENDMENT.** Section 14-07-08 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **14-07-08. Separate and mutual rights and liabilities of husband and wife.**

7 The separate and mutual rights and liabilities of a husband and a wife are as follows:

8 1. Neither the husband nor the wife as such is answerable for the acts of the other.

9 2. Except for necessary expenses as provided in subsection 3, the earnings of one
10 spouse are not liable for the debts of the other spouse, and the earnings and
11 accumulations of either spouse and of any minor children living with either spouse or
12 in one spouse's custody, while the husband and wife are living separate from each
13 other, are the separate property of each spouse.

14 3. ~~The~~Except for abandonment as provided in section 14-07-11, the husband and wife
15 are liable jointly and severally for any debts contracted by either, ~~while living together,~~
16 for necessary household supplies of food, clothing, and fuel, medical care, and for
17 shelter for themselves and family, and for the education of their minor children.

18 4. The separate property of the husband or wife is not liable for the debts of the other
19 spouse but each is liable for their own debts contracted before or after marriage.

20 **SECTION 2. AMENDMENT.** Section 14-07-11 of the North Dakota Century Code is
21 amended and reenacted as follows:

22 **14-07-11. Spouse liable for support - Exception.**

23 An abandoned spouse is not liable for the support of the other spouse unless there is an
24 offer to return on the part of the abandoning spouse or the abandonment is justified by

- 1 misconduct. ~~Neither party is liable~~A party is not an abandoned spouse if the other party resides
- 2 elsewhere for the support of the other when living separate by agreement unless the support is
- 3 ~~stipulated in the agreement~~medical or behavioral health treatment.