

HCS HB 503 -- SPOUSAL SUPPORT

SPONSOR: Fraker

COMMITTEE ACTIONS: Voted "Do Pass with Amendments" by the Standing Committee on Civil and Criminal Proceedings by a vote of 8 to 4. Voted "Do Pass with HCS" by the Select Committee on Judiciary by a vote of 7 to 3.

This bill requires any court that awards maintenance to include a termination date that is not more than 120 months from the effective date of the original order. If the obligor owes an arrearage at the termination date he or she must continue paying until the arrearage is paid in full.

Maintenance orders currently in effect will terminate six months after paying maintenance for 10 years or six months from the effective date of the bill, except in cases where an arrearage is due. An obligor who meets these requirements may file a notice with the court including documentation verifying that his or her obligation is paid in full and not in arrears. Upon verification, the court must automatically terminate the obligor's maintenance obligation and notify the obligee.

The bill prohibits the court from modifying an existing maintenance order during the six month period specified in these provisions or during the period that the obligor is paying the arrearage.

This bill allows the court to extend the maintenance obligation past the termination date under specified circumstances.

PROPONENTS: Supporters say that the current system of indefinite maintenance is extremely unfair, it prevents those who provide support from moving on with their lives, and acts as a disincentive to those who receive support to return to work.

Testifying for the bill were Representative Fraker and Mike Bettlach.

OPPONENTS: Those who oppose the bill say that this bill will damage the ability of abused women from getting support because court ordered support will end, forcing women to interact with their abuser to obtain funds.

Testifying against the bill were Missouri Women's Network; Colleen S. Coble; and Carla Holste.