

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 621

H.P. 454

House of Representatives, February 8, 2005

An Act Regarding Divorce and Marital Property

Reference to the Committee on Judiciary suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative CUMMINGS of Portland.
Cosponsored by Senator HOBBS of York and
Representatives: BRYANT-DESCHENES of Turner, PELLETIER-SIMPSON of Auburn,
PINGREE of North Haven, SMITH of Monmouth, TUTTLE of Sanford.

2 **Be it enacted by the People of the State of Maine as follows:**

4 **Sec. 1. 19-A MRSA §953, sub-§6-A** is enacted to read:

6 **6-A. Nonowner spouse interest in certain payments or**
8 **accounts.** After the filing of a divorce complaint under section
10 **901, a nonowner spouse has an inchoate equitable ownership**
12 **interest in the individual retirement account or similar plan or**
14 **contract on account of illness, disability, death, age or length**
16 **of service of the spouse.**

14 **SUMMARY**

16 This bill adds to the marital property statutes for divorce
18 an inchoate equitable interest for a nonowner spouse in certain
property, such as an individual retirement account, once a
divorce complaint has been filed.