

MAINE STATE LEGISLATURE

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128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 916

S.P. 303

In Senate, March 7, 2017

An Act To Modify the Term and Withholding Limitations for Spousal Support

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Secretary of the Senate

Presented by Senator WOODSOME of York.

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

2 **Sec. 1. 19-A MRSA §951-A, sub-§2, ¶A**, as enacted by PL 1999, c. 634, §3, is
3 repealed.

4 **Sec. 2. 19-A MRSA §951-A, sub-§2-A** is enacted to read:

5 **2-A. Amount of award.** Unless agreed by the parties, a court may not award more
6 than 30% of an obligor's income under subsection 2.

7 **Sec. 3. 19-A MRSA §951-A, sub-§3**, as enacted by PL 1999, c. 634, §3, is
8 amended to read:

9 **3. Methods of payment; term and limitations.** The order must state the method or
10 methods of payment that the court determines just, including, but not limited to, lump-
11 sum and installment payments. The order must also state the term of and any limitations
12 on the award that the court determines just, including, but not limited to:

- 13 A. A limit on any increases or decreases in the amount of support;
- 14 B. A limit on any increases or decreases in the term of support;
- 15 C. A limit on the method or methods of payment of support;
- 16 D. A limit on the payment of support related to the remarriage of the payee; and
- 17 E. A limit on the payment of support related to cohabitation by the payee.

18 The term of an order under this section may not exceed 4 years.

19 **Sec. 4. 19-A MRSA §951-A, sub-§13** is enacted to read:

20 **13. Submission of financial information.** Each party shall provide annually to the
21 court an affidavit showing that party's income and assets.

22 **Sec. 5. 19-A MRSA §954, sub-§1, ¶G** is enacted to read:

23 G. A withholding order may withhold up to 30% of an obligor's disposable income
24 for amounts owed that are not in arrearage and up to 35% of an obligor's disposable
25 income for amounts owed that are in arrearage.

26 **SUMMARY**

27 This bill amends the laws governing spousal support in divorce actions by:

- 28 1. Repealing the provision allowing the awarding of general support;
- 29 2. Unless agreed to by the parties, limiting the amount of support a court may order
30 to no more than 30% of the obligor's income;
- 31 3. Limiting the term of a support order to 4 years;

- 1 4. Limiting the amount of a withholding order to no more than 30% of a obligor's
- 2 income and, if the award is based upon an agreement of the parties, no more than 35% for
- 3 amounts owed that are in arrearage; and

- 4 5. Requiring the parties annually to submit financial affidavits to the court.