

MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

Legislative Document

No. 947

H.P. 703

House of Representatives, March 8, 2021

An Act To Address the Long-term Impact of Economic Abuse by a Spouse

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative SUPICA of Bangor.
Cosponsored by Senator DAUGHTRY of Cumberland and
Representatives: FAY of Raymond, GRAMLICH of Old Orchard Beach, SACHS of Freeport.

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

2 **Sec. 1. 19-A MRSA §951-A, sub-§2, ¶C**, as enacted by PL 1999, c. 634, §3, is
3 amended to read:

4 C. Reimbursement support may be awarded to achieve an equitable result in the overall
5 dissolution of the parties' financial relationship in response to exceptional
6 circumstances. Exceptional circumstances include, but are not limited to:

7 (1) Economic misconduct by a spouse; ~~and~~

8 (2) Substantial contributions a spouse made towards the educational or
9 occupational advancement of the other spouse during the marriage; ~~and~~

10 (3) Economic abuse by a spouse. For the purposes of this subparagraph,
11 "economic abuse" has the same meaning as in section 4002, subsection 3-B.

12 Reimbursement support may be awarded only if the court determines that the parties'
13 financial circumstances do not permit the court to fully address equitable
14 considerations through its distributive order pursuant to section 953.

15 **Sec. 2. 19-A MRSA §951-A, sub-§5, ¶M-1** is enacted to read:

16 M-1. Economic abuse by a spouse. For the purposes of this paragraph, "economic
17 abuse" has the same meaning as in section 4002, subsection 3-B;

18 **Sec. 3. 19-A MRSA §953, sub-§1**, as enacted by PL 1995, c. 694, Pt. B, §2 and
19 affected by Pt. E, §2, is amended to read:

20 **1. Disposition.** In a proceeding for a divorce, for legal separation or for disposition of
21 property following dissolution of the marriage by a court that lacked personal jurisdiction
22 over the absent spouse or lacked jurisdiction to dispose of the property, the court shall set
23 apart to each spouse the spouse's property and shall divide the marital property in
24 proportions the court considers just after considering all relevant factors, including:

25 A. The contribution of each spouse to the acquisition of the marital property, including
26 the contribution of a spouse as homemaker;

27 B. The value of the property set apart to each spouse; ~~and~~

28 C. The economic circumstances of each spouse at the time the division of property is
29 to become effective, including the desirability of awarding the family home or the right
30 to live in the home for reasonable periods to the spouse having custody of the children;
31 ~~and~~

32 D. Economic abuse by a spouse. For the purposes of this paragraph, "economic abuse"
33 has the same meaning as in section 4002, subsection 3-B.

34 **SUMMARY**

35 This bill adds economic abuse by a spouse as a factor the court can consider when
36 ordering spousal support and dividing property.