

## HOUSE BILL NO. HB0091

Alimony termination.

Sponsored by: Representative(s) Lone, Blackburn, Brown and  
Olsen and Senator(s) Nethercott

A BILL

for

1 AN ACT relating to domestic relations; providing grounds  
2 and procedures for terminating alimony or other allowance;  
3 adding requirements for modification; requiring provisions  
4 in a court's alimony decree; requiring notice of remarriage  
5 or death of a party; specifying applicability of  
6 provisions; and providing for an effective date.

7

8 *Be It Enacted by the Legislature of the State of Wyoming:*

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10 **Section 1.** W.S. 20-2-114 by creating a new subsection  
11 (c) and 20-2-116 are amended to read:

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13 **20-2-114. Disposition of property to be equitable;**  
14 **factors; alimony generally.**

15

1       (c) In entering a decree of alimony pursuant to this  
2 section, a court shall require in the written order that a  
3 party who remarries within the period during which alimony  
4 is set out shall within thirty (30) days after the  
5 remarriage file a notice of the remarriage with the court  
6 that entered the alimony decree and shall serve a copy of  
7 the notice on the former paying party. The court may hold  
8 an obligated party in contempt for willfully failing to  
9 provide the ordered notice.

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11       **20-2-116. Revision and termination of alimony and**  
12 **other allowances.**

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14       (a) After a decree for alimony or other allowance for  
15 a party or children and after a decree for the appointment  
16 of trustees to receive and hold any property for the use of  
17 a party or children pursuant to W.S. 20-2-314, the court  
18 may, ~~from time to time,~~ on the petition of either of the  
19 parties, revise and alter the decree respecting the amount  
20 of the alimony or allowance or the payment thereof and  
21 respecting the appropriation and payment of the principal  
22 and income of the property so held in trust and may make

1 any decree respecting any of the matters ~~which~~that the  
2 court might have made in the original action, provided:

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4 (i) The existing decree has not been adjusted  
5 within the previous six (6) months; and

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7 (ii) A material and substantial change in  
8 circumstances has occurred warranting an equitable  
9 modification of the decree.

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11 (b) Remarriage of a party shall constitute a  
12 substantial change of circumstances allowing the other  
13 party to bring a petition to modify the decree.

14  
15 (c) In any proceeding relating to the payment of  
16 alimony to a remarried party, the court may consider any  
17 failure of the remarried party to file a notice of  
18 remarriage pursuant to W.S. 20-2-114(c) when awarding  
19 attorney's fees and costs.

20  
21 (d) After the death of either party to a final decree  
22 for alimony or other allowance all rights to receive, and  
23 all duties to pay, alimony or other allowance shall

1 automatically terminate for all payments due after the date  
2 of death, unless the final decree or a written agreement  
3 between the parties approved by the court provides  
4 specifically for the payments to continue after the death  
5 of a party, except that arrearages that have accrued before  
6 the death of a party shall not be vacated or annulled. The  
7 deceased party's estate shall file a notice of the death  
8 with the court that entered the alimony decree.

9  
10 **Section 2.** This act shall apply to a final decree or  
11 order for alimony entered on or after January 1, 2018.

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13 **Section 3.** This act is effective January 1, 2018.

14  
15 (END)