

Senate Study Bill 3023 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE
ON JUDICIARY BILL BY
CHAIRPERSON HOGG)

A BILL FOR

1 An Act relating to the considerations of a court in awarding
2 spousal support.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 598.21A, subsection 1, Code 2014, is
2 amended to read as follows:

3 1. *Criteria for determining support.* Upon every judgment of
4 annulment, dissolution, or separate maintenance, the court may
5 grant an order requiring support payments to either party for
6 a limited or indefinite length of time after considering all
7 of the following:

8 a. The length of the marriage.

9 b. The age and physical and emotional health of the parties.

10 c. The distribution of property made pursuant to section
11 598.21.

12 d. The educational level of each party at the time of
13 marriage and at the time the action is commenced.

14 e. The earning capacity of the party seeking maintenance,
15 including educational background, training, employment skills,
16 work experience, length of absence from the job market,
17 responsibilities for children under either an award of custody
18 or physical care, and the time and expense necessary to acquire
19 sufficient education or training to enable the party to find
20 appropriate employment.

21 f. The standard of living established during the marriage
22 and the feasibility of each party maintaining a reasonably
23 comparable standard of living while maintaining separate
24 households.

25 ~~f.~~ g. The feasibility of the party seeking maintenance
26 becoming self-supporting at a standard of living reasonably
27 comparable to that enjoyed during the marriage, and the length
28 of time necessary to achieve this goal.

29 ~~g.~~ h. The tax consequences to each party.

30 ~~h.~~ i. Any mutual agreement made by the parties concerning
31 financial or service contributions by one party with the
32 expectation of future reciprocation or compensation by the
33 other party.

34 ~~i.~~ j. The provisions of an antenuptial agreement.

35 ~~j.~~ k. Other factors the court may determine to be relevant

1 in an individual case.

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EXPLANATION

3 The inclusion of this explanation does not constitute agreement with
4 the explanation's substance by the members of the general assembly.

5 This bill includes as a consideration in awarding spousal
6 support the standard of living established during the marriage
7 and the feasibility of each party maintaining a reasonably
8 comparable standard of living while maintaining separate
9 households.