

2013 SESSION

INTRODUCED

13103452D

HOUSE BILL NO. 2187

Offered January 10, 2013

A BILL to amend and reenact § 20-110 of the Code of Virginia, relating to spousal support; termination upon cohabitation.

Patrons—Herring and Spruill

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 20-110 of the Code of Virginia is amended and reenacted as follows:

§ 20-110. Maintenance and support for a spouse to cease on remarriage or cohabitation.

If any former spouse to whom support and maintenance has been awarded shall thereafter marry, such support and maintenance shall cease as of the date of such marriage. The spouse entitled to current support shall have an affirmative duty to notify the payor spouse immediately of such remarriage. Failure of such spouse to notify the payor shall entitle the payor to restitution and the court may order restitution equal to the amount of any current support and maintenance paid after the date of the remarriage, together with interest from the date of the remarriage and reasonable attorney's attorney fees and costs. For purposes of this section, the terms "marriage" and "remarriage" include habitually cohabiting with another person in a relationship analogous to a marriage.

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