

LD3925492

## HOUSE BILL NO. 296

Offered January 19, 1994

A *BILL to amend and reenact § 20-109 of the Code of Virginia, relating to spousal support; modification; termination.*

Patrons—Woodrum and Diamonstein; Senator: Andrews

Referred to Committee for Courts of Justice

**Be it enacted by the General Assembly of Virginia:****1. That § 20-109 of the Code of Virginia is amended and reenacted as follows:**

§ 20-109. Changing maintenance and support for a spouse; effect of stipulations as to maintenance and support for a spouse; cessation upon remarriage or death.

Upon petition of either party the court may increase, decrease, or terminate spousal support and maintenance that may thereafter accrue, whether previously or hereafter awarded, as the circumstances may make proper. However, if a stipulation or contract signed by the party to whom such relief might otherwise be awarded is filed before entry of a final decree, no decree or order directing the payment of support and maintenance for the spouse, suit money, or counsel fee or establishing or imposing any other condition or consideration, monetary or nonmonetary, shall be entered except in accordance with that stipulation or contract.

Upon the death or remarriage of the spouse receiving support, spousal support shall terminate unless otherwise provided by stipulation or contract. *In addition, the court may upon petition suspend, reduce or terminate spousal support upon a showing that the spouse receiving support is living with another person under circumstances which the court finds should result in the modification, suspension, reduction or termination of spousal support because the living arrangements cause such a change in circumstances as to alter the financial needs of that party, unless otherwise provided by stipulation or contract.* If any such a stipulation or contract is filed after entry of a final decree and if any party so moves, the court shall modify its decree to conform to ~~such~~ the stipulation or contract.

INTRODUCED

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