

1996 SESSION

INTRODUCED

962359360

HOUSE BILL NO. 1341

Offered January 22, 1996

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

Patron—Moore

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, in suits for divorce, annulment and separate maintenance, and in proceedings arising under subdivision A 3 or L of § 16.1-241, 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, *cohabitation with a person of the opposite sex*, or remarriage of the spouse receiving support, spousal support shall terminate unless otherwise provided by stipulation or contract. If 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 stipulation or contract.

INTRODUCED

HB1341