

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact §§ 20-107.2 and 20-109.1 of the Code of Virginia, relating to custody*
3 *and support.*

4 [H 1430]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That §§ 20-107.2 and 20-109.1 of the Code of Virginia are amended and reenacted as follows:**

8 § 20-107.2. Court may decree as to custody and support of minor children.

9 Upon ~~decreeing~~ *entry of a decree providing (i) for the dissolution of a marriage, and also upon*
10 ~~decreeing~~ *(ii) for a divorce, whether from the bond of matrimony or from bed and board, and upon*
11 ~~decreeing~~ *(iii) that neither party is entitled to a divorce, or (iv) for separate maintenance,* the court may
12 make such further decree as it shall deem expedient concerning the custody or visitation and support of
13 the minor children of the parties as provided in Chapter 6.1 (§ 20-124.1 et seq.) of Title 20, including
14 an order that either party provide health care coverage.

15 § 20-109.1. Affirmation, ratification and incorporation by reference in decree of agreement between
16 parties.

17 Any court may affirm, ratify and incorporate by reference in its decree dissolving a marriage or
18 decree of divorce whether from the bond of matrimony or from bed and board, or by a separate decree
19 prior to or subsequent to such decree, *or in a decree entered in a suit for annulment or separate*
20 *maintenance, and in a proceeding arising under subsection A 3 or L of § 16.1-241,* any valid agreement
21 between the parties, or provisions thereof, concerning the conditions of the maintenance of the parties,
22 or either of them and the care, custody and maintenance of their minor children, or establishing or
23 imposing any other condition or consideration, monetary or nonmonetary. Where the court affirms,
24 ratifies and incorporates by reference in its decree such agreement or provision thereof, it shall be
25 deemed for all purposes to be a term of the decree, and enforceable in the same manner as any
26 provision of such decree. The provisions of this section shall apply to any decree hereinbefore or
27 hereinafter entered affirming, ratifying and incorporating an agreement as provided herein. Upon the
28 death or remarriage of the spouse receiving support, spousal support shall terminate unless otherwise
29 provided by stipulation or contract. In any case where jurisdiction is obtained over a nonresident
30 defendant by order of publication or by acceptance of service pursuant to § 20-99.1:1, any properly
31 acknowledged and otherwise valid agreement entered into between the parties may be affirmed, ratified
32 and incorporated as provided in this section.

ENROLLED

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