

## Session 121 - (2015-2016)

### H 4029 General Bill, By Norman, Govan, King, Corley, Hixon, Simrill, Thayer, Alexander and Willis *Similar (S 1087)*

#### Summary: Alimony awards

A BILL TO AMEND SECTION 20-3-130, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ALIMONY AWARDS, SO AS TO CREATE A PRESUMPTION FOR THE AWARD OF LUMP-SUM OR REIMBURSEMENT ALIMONY AND AGAINST THE AWARD OF PERIODIC OR REHABILITATIVE ALIMONY, TO ESTABLISH GUIDELINES FOR AWARDING ALIMONY BASED ON THE DURATION OF THE MARRIAGE, TO PROVIDE THAT THE COURT MAY FIND COHABITATION EVEN IF A PARTY MAINTAINS A RESIDENCE OR DWELLING IN ADDITION TO THE RESIDENCE OR DWELLING WHERE THE PARTY IS COHABITING, TO PROHIBIT THE COURT FROM TAKING INTO CONSIDERATION CERTAIN EARNINGS OR PROPERTIES WHEN DETERMINING A SUPPORTING SPOUSE'S ABILITY TO PAY, TO ALLOW THE COURT TO CONSIDER THE EXTENT TO WHICH ALIMONY PAID TO A PARTY WHO IS COHABITING IS USED TO CONTINUE OR SUPPORT THE COHABITATION, TO REQUIRE THE COURT TO CONSIDER SOCIAL SECURITY SPOUSAL RETIREMENT BENEFITS AND OTHER RETIREMENT INCOME TO WHICH A SUPPORTED SPOUSE IS ENTITLED WHEN MAKING OR MODIFYING AN ALIMONY AWARD, TO PROHIBIT THE COURT FROM TAKING INTO CONSIDERATION INCOME OR BENEFITS RELATED TO AN INJURY OR DISABILITY OF THE SUPPORTING SPOUSE WHEN DETERMINING THE SUPPORTING SPOUSE'S ABILITY TO PAY; AND TO AMEND SECTION 20-3-170, RELATING TO MODIFICATION, CONFIRMATION, AND TERMINATION OF ALIMONY, SO AS TO CREATE A PRESUMPTION THAT RETIREMENT IS A CHANGE OF CIRCUMSTANCE JUSTIFYING TERMINATION OF ALIMONY WHEN THE SUPPORTING SPOUSE IS ELIGIBLE TO RECEIVE SOCIAL SECURITY RETIREMENT BENEFITS, TO PROVIDE THAT THE COURT SHOULD DECREASE AN ALIMONY AWARD IF A SUPPORTED SPOUSE IS ENTITLED TO RECEIVE CERTAIN SPOUSAL SOCIAL SECURITY RETIREMENT BENEFITS, AND TO PROVIDE THAT THE COURT HAS THE DISCRETION TO MODIFY AN ALIMONY AWARD AT WHATEVER AGE THE SUPPORTING SPOUSE RETIRES.

**04/21/15 House Introduced and read first time (House Journal-page 14)**  
**04/21/15 House Referred to Committee on Judiciary (House Journal-page 14)**  
**01/19/16 House Member(s) request name added as sponsor: Thayer**  
**03/10/16 House Committee report: Favorable with amendment Judiciary (House Journal-page 24)**  
**03/16/16 House Debate adjourned until Wed., 4-13-16 (House Journal-page 54)**  
**03/21/16 House Member(s) request name added as sponsor: Alexander**  
**04/13/16 House Requests for debate-Rep(s). Brannon, Delleney, Whipper, McCoy, GR Smith, Crosby, Daning, Finlay, Jefferson, Nanney (House Journal-page 14)**  
**04/14/16 House Debate adjourned until Wed., 4-20-16 (House Journal-page 76)**  
**04/26/16 House Member(s) request name added as sponsor: Willis**  
**04/26/16 House Amended (House Journal-page 70)**  
**04/26/16 House Read second time (House Journal-page 70)**  
**04/26/16 House Roll call Yeas-91 Nays-8 (House Journal-page 80)**  
**04/27/16 House Read third time and sent to Senate (House Journal-page 66)**  
**04/27/16 House Roll call Yeas-91 Nays-2 (House Journal-page 67)**  
**04/27/16 Scrivener's error corrected**  
**04/28/16 Senate Introduced and read first time (Senate Journal-page 5)**  
**04/28/16 Senate Referred to Committee on Judiciary (Senate Journal-page 5)**