

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Bruce J. Ayers, (BY REQUEST)

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to termination of alimony judgments.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|--------------------------|---|-----------------|
| <i>Michael T. Cheney</i> | <i>75 Palmer St Apt. 615 Quincy, MA 02169</i> | <i>7/7/2015</i> |

HOUSE No.

By Mr. Ayers of Quincy (by request), a petition (subject to Joint Rule 12) of Michael T. Cheney relative to termination of alimony judgments. The Judiciary.

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act relative to termination of alimony judgments.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 124 of the act of 2011 is hereby amended by striking out section 4 and inserting
2 in place thereof the following section:-

3 Section 4. (a) Section 49 of chapter 208 of the General Laws shall apply prospectively,
4 such thatto alimony judgments entered before, after or on March 1, 2012 shall terminate only
5 under such judgments, under a subsequent modification or as otherwise provided for in this act.

6 (b) Sections 48 and sections 50 to 55, inclusive, of said chapter 208 shall not be deemed a
7 material change of circumstance that warrants modification of the amount of existing alimony
8 judgments.; provided, however, that eExisting alimony judgments that exceed the durational
9 limits under section 49 of said chapter 208 shall be deemed a material change of circumstance
10 that warrant modification.

11 Existing alimony awards shall be deemed general term alimony. Existing alimony awards
12 which exceed the durational limits established in said section 49 of said chapter 208 shall be

13 modified upon a complaint for modification without additional material change of circumstance,
14 unless the court finds that deviation from the durational limits is warranted. Subject to subsection
15 (c) and said section 49 of said chapter 208, upon the occurrence of an event warranting
16 suspension, reduction or termination of a general term alimony award pursuant to subsection (a),
17 subsection (d) or subsection (f) of said section 49, an existing alimony award shall be so
18 suspended, reduced or terminated upon a complaint for modification without additional material
19 change of circumstance.

20 (c) Under no circumstances shall said sections 48 to 55, inclusive, of said chapter 208
21 provide a right to seek or receive modification of an existing alimony judgment in which the
22 parties have agreed that their alimony judgment is not modifiable, or in which the parties have
23 expressed their intention that their agreed alimony provisions survive the judgment and therefore
24 are not modifiable.