

HOUSE No. 3778

The Commonwealth of Massachusetts

PRESENTED BY:

David M. Nangle, (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 including history of abuse for consideration of alimony.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Anne Furtado</i>		<i>6/7/2017</i>

HOUSE No. 3778

By Mr. Nangle of Lowell (by request), a petition (subject to Joint Rule 12) of Anne Furtado relative to the calculation of alimony. The Judiciary.

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act including history of abuse for consideration of alimony.

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

1 Section 53 of chapter 208 of the General Laws, as appearing in the 2016 Official Edition,
2 is hereby amended by striking out subsection (a) and inserting in place thereof the following
3 section:-

4 (a) In determining the appropriate form of alimony and in setting the amount and duration
5 of support, a court shall consider all of the following circumstances:

6 (1) the duration of the marriage;

7 (2) the age and health of the parties;

8 (3) documented evidence of any history of abuse, as defined in chapter 209A, between
9 the parties or perpetrated by either party against either party's child, including, but not limited to,
10 consideration of emotional distress resulting from abuse perpetrated against the supported party
11 by the supporting party, and consideration of any history of abuse against the supporting party by
12 the supported party;

- 13 (4) income, employment and employability of both parties, including employability
14 through reasonable diligence and additional training, if necessary;
- 15 (5) economic and non-economic contribution of both parties to the marriage;
- 16 (6) marital lifestyle and ability of each party to maintain the marital lifestyle;
- 17 (7) lost economic opportunity as a result of the marriage; and
- 18 (8) such other factors as the court considers relevant and material.