

ASSEMBLY, No. 79

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblyman KAVANAUGH and Assemblywoman CRECCO

1 AN ACT concerning alimony and amending N.J.S.2A:34-25.

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3 **BE IT ENACTED** by the Senate and General Assembly of the State  
4 of New Jersey:

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6 1. N.J.S.2A:34-25 is amended to read as follows:

7 2A:34-25. If after the judgment of divorce a former spouse shall  
8 remarry, permanent alimony shall terminate as of the date of  
9 remarriage except that any arrearages that have accrued prior to the  
10 date of remarriage shall not be vacated or annulled. A former spouse  
11 who remarries shall immediately so inform the spouse paying  
12 permanent alimony. The court shall order an alimony recipient who  
13 fails to comply with the notification provision of this act to pay any  
14 attorney fees and court costs incurred by the recipient's former spouse  
15 as a result of such non-compliance.

16 The remarriage of a former spouse receiving rehabilitative alimony  
17 shall not be cause for termination of the rehabilitative alimony by the  
18 court unless the court finds that the circumstances upon which the  
19 award was based have not occurred or unless the payer spouse  
20 demonstrates an agreement or good cause to the contrary.

21 Alimony shall terminate upon the death of the payer spouse, except  
22 that any arrearages that have accrued prior to the date of the payer  
23 spouse's death shall not be vacated or annulled.

24 Nothing in this act shall be construed to prohibit a court from  
25 ordering either spouse to maintain life insurance for the protection of  
26 the former spouse or the children of the marriage in the event of the  
27 payer spouse's death.

28 (cf: P.L.1988, c.153,s.7)

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30 2. This act shall take effect immediately.

**EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.**

**Matter underlined thus is new matter.**

## 1 STATEMENT

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3 This bill amends N.J.S.2A:34-25 to provide that a former spouse  
4 who remarries while receiving permanent alimony would be required  
5 to immediately inform the payor spouse of the remarriage. Under the  
6 bill, the court would be required to order an alimony recipient who  
7 fails to comply with this notification provision to pay any attorney fees  
8 and court costs incurred by the payor spouse as a result of such  
9 non-compliance.

10 This bill embodies Recommendation 16 of the report of the  
11 Commission to Study the Laws of Divorce, issued April 18, 1995.

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16 Requires notification of re-marriage by ex-spouse receiving alimony.