

SENATE, No. 1493

STATE OF NEW JERSEY

INTRODUCED SEPTEMBER 19, 1996

By Senators CAFIERO and EWING

1 AN ACT concerning divorce and supplementing Title 2A of the New
2 Jersey Statutes.

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

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7 1. a. Upon filing of a complaint for an action for divorce, nullity
8 or separate maintenance, where the custody, visitation or support of
9 a minor child is an issue, the party who has maintained all existing
10 insurance coverage or coverage traditionally maintained during the
11 marriage, including but not limited to, all health, disability, home or
12 life insurance, shall continue to maintain or continue to share in the
13 cost of maintaining the coverage.

14 b. If a party who has maintained the existing insurance coverage or
15 has shared in the cost of maintaining the coverage has had a
16 voluntarily or involuntarily change in employment status, which may
17 cause the existing insurance coverage to terminate, then that party
18 shall notify the other party that it may be necessary to reallocate the
19 financial responsibilities of maintaining the coverage.

20 c. Upon receipt of this notice, the party may petition the court to
21 reallocate financial responsibilities.

22 d. The court may take any action it deems appropriate to reallocate
23 financial responsibilities including but not limited to ordering a party
24 to obtain comparable coverage or releasing a party from the obligation
25 or any other order.

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27 2. This act shall take effect immediately.

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STATEMENT

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32 This bill would require the parties in a divorce action to continue to
33 maintain or continue to share in the cost of maintaining all existing
34 insurance coverage as of the date of the filing of the action and until
35 the judgment is entered or it is otherwise agreed to by the parties.

36 The bill would also require the party who has maintained the
37 coverage to notify the other party when there is a change in that

1 party's employment status which would make insurance coverage
2 unavailable.

3 Nothing in this bill would diminish the authority of the court to
4 make appropriate changes concerning the coverage.

5 This bill embodies recommendation number 4 of the report of the
6 Commission to Study the Law of Divorce, issued April 18, 1995.

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11 Requires parties in a divorce action to maintain certain insurance
12 coverages.