

One Hundred Fourth Legislature - First Session - 2015

Introducer's Statement of Intent

LB497

Chairperson: Senator Les Seiler

Committee: Judiciary

Date of Hearing: March 12, 2015

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

Would change the criteria for the distribution of marital assets upon dissolution of a marriage.

In any action for divorce, annulment, or legal separation, the court shall divide the marital property of the parties equitably. The court shall presume that an equal division is an equitable distribution of the property and shall distribute the marital property equally unless the court specifically finds in the decree that such a division is inequitable and sets forth the reasons. In the event the court finds that an equal division of the marital estate is inequitable, the court shall specifically state its basis for the finding in the decree and shall take into consideration the following in determining the distribution of the marital estate:

- (a) The length of the marriage;
- (b) Any antenuptial or prenuptial agreement of the parties. The court shall have no authority, except as otherwise provided, to amend or rescind any such agreement;
- (c) The age, health, occupation, amount and source of income, vocational skills, employability, and liabilities of each spouse;
- (d) Contributions of each spouse to the marriage, including contributions to the care and education of the children and the care and management of the home;
- (e) The expectation of pension or retirement rights acquired prior to or during the marriage;
- (f) The amount and duration of any spousal support awarded to either party or a property division in lieu of such support; and
- (g) The tax consequences to each party.

Principal Introducer: _____

Senator Galen Hadley