

1 2154-S AMH H2560.2

2 **SHB 2154 - H AMD 311 Withdrawn 3-20-91**

3 By Representatives Spanel, Applewick, Forner and Belcher

4

5 On page 2, line 24, after "circumstances." insert "The remarriage
6 of the party receiving maintenance may be, but is not necessarily,
7 considered to be such a change."

8 **SHB 2154 - H AMD**

9 By Representative

10

11 On page 3, beginning on line 3, after "either party" strike "or the
12 remarriage of the party receiving maintenance" and insert "~~((or the~~
13 ~~remarriage of the party receiving maintenance))~~"

1 **SHB 2154** - H AMD
2 By Representative

3

4 On page 6, after line 10, insert the following:

5 "Sec. 5. RCW 26.09.080 and 1989 c 375 s 5 are each amended to read
6 as follows:

7 In a proceeding for dissolution of the marriage, legal separation,
8 declaration of invalidity, or in a proceeding for disposition of
9 property following dissolution of the marriage by a court which lacked
10 personal jurisdiction over the absent spouse or lacked jurisdiction to
11 dispose of the property, the court shall, without regard to marital
12 misconduct, make such disposition of the property and the liabilities
13 of the parties, either community or separate, as shall appear just and
14 equitable after considering all relevant factors including, but not
15 limited to:

16 (1) The nature and extent of the community property;

17 (2) The nature and extent of the separate property;

18 (3) The duration of the marriage; (~~and~~)

19 (4) The economic circumstances of each spouse at the time the
20 division of property is to become effective, including the desirability
21 of awarding the family home or the right to live therein for reasonable
22 periods to a spouse with whom the children reside the majority of the
23 time; and

24 (5) The past, present, and future earning or economic capacity of
25 each spouse, including the earning or economic capacity of each spouse
26 that was enhanced, diminished, or foregone during marriage."

1 **"Sec. 6.** RCW 26.09.090 and 1989 c 375 s 6 are each amended to read
2 as follows:

3 (~~(1)~~) In a proceeding for dissolution of marriage, legal
4 separation, declaration of invalidity, or in a proceeding for
5 maintenance following dissolution of the marriage by a court which
6 lacked personal jurisdiction over the absent spouse, the court may
7 grant a maintenance order for either spouse. The maintenance order
8 shall be in such amounts and for such periods of time as the court
9 deems just, without regard to marital misconduct, after considering all
10 relevant factors including but not limited to:

11 (~~(a)~~) (1) The financial resources of the party seeking
12 maintenance, including separate or community property apportioned to
13 (~~him~~) the party, and (~~his~~) the party's ability to meet his or her
14 needs independently, including the extent to which a provision for
15 support of a child living with the party includes a sum for that party;

16 (~~(b)~~) (2) The time necessary to acquire sufficient education or
17 training to enable the party seeking maintenance to find employment
18 appropriate to his or her skill, interests, style of life, and other
19 attendant circumstances;

20 (~~(c)~~) (3) The standard of living established during the marriage;

21 (~~(d)~~) (4) The duration of the marriage;

22 (~~(e)~~) (5) The age, physical and emotional condition, and
23 financial obligations of the spouse seeking maintenance; (~~and~~

24 ~~(f)~~) (6) Past, present, and future earning or economic capacity of
25 each spouse, including the earning or economic capacity of each spouse
26 that was enhanced, diminished, or foregone during marriage;

27 (7) The standard of living each spouse will experience after
28 dissolution of the marriage; and

1 (8) The ability of the spouse from whom maintenance is sought to
2 meet his or her needs and financial obligations while meeting those of
3 the spouse seeking maintenance."

4 **SHB 2154** - H AMD
5 By Representative

6
7 On page 1, line 2 of the title, after "26.09.225," strike "and" and
8 after "26.09.280" insert ", 26.09.080, and 26.09.090"