

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-ONE

H.P. 703 - L.D. 947

An Act To Address the Long-term Impact of Economic Abuse by a Spouse

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 19-A MRSA §951-A, sub-§2, ¶C, as enacted by PL 1999, c. 634, §3, is amended to read:

C. Reimbursement support may be awarded to achieve an equitable result in the overall dissolution of the parties' financial relationship in response to exceptional circumstances. Exceptional circumstances include, but are not limited to:

- (1) Economic misconduct by a spouse; ~~and~~
- (2) Substantial contributions a spouse made towards the educational or occupational advancement of the other spouse during the marriage; ~~and~~
- (3) Economic abuse by a spouse. For the purposes of this subparagraph, "economic abuse" has the same meaning as in section 4002, subsection 3-B.

Reimbursement support may be awarded only if the court determines that the parties' financial circumstances do not permit the court to fully address equitable considerations through its distributive order pursuant to section 953.

Sec. 2. 19-A MRSA §951-A, sub-§5, ¶M-1 is enacted to read:

M-1. Economic abuse by a spouse. For the purposes of this paragraph, "economic abuse" has the same meaning as in section 4002, subsection 3-B;

Sec. 3. 19-A MRSA §953, sub-§1, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

1. Disposition. In a proceeding for a divorce, for legal separation or for disposition of property following dissolution of the marriage by a court that lacked personal jurisdiction over the absent spouse or lacked jurisdiction to dispose of the property, the court shall set apart to each spouse the spouse's property and shall divide the marital property in proportions the court considers just after considering all relevant factors, including:

- A. The contribution of each spouse to the acquisition of the marital property, including the contribution of a spouse as homemaker;

B. The value of the property set apart to each spouse; ~~and~~

C. The economic circumstances of each spouse at the time the division of property is to become effective, including the desirability of awarding the family home or the right to live in the home for reasonable periods to the spouse having custody of the children; and

D. Economic abuse by a spouse. For the purposes of this paragraph, "economic abuse" has the same meaning as in section 4002, subsection 3-B.