

SECOND REGULAR SESSION

HOUSE BILL NO. 1072

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HOSMER.

Pre-filed December 3, 2001, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

2718L.011

AN ACT

To repeal section 452.075, RSMo, and to enact in lieu thereof one new section relating to dissolution of marriage.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 452.075, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 452.075, to read as follows:

452.075. When a [divorce] **dissolution of marriage** has been granted, and the court has made [an] **a modifiable** order or decree providing for the payment of [alimony and] **periodic** maintenance, the remarriage of the former spouse **receiving maintenance** shall relieve the spouse obligated to pay [support] **maintenance** from further payment of [alimony] **periodic maintenance** to the former spouse from the date of the remarriage, without the necessity of further court action. **A court finding of cohabitation with a person in a relationship as sex partners for a period of twenty-four months shall be deemed as "continuing cohabitation".** **A finding of continuing cohabitation by a spouse receiving maintenance shall relieve the former spouse obligated to pay maintenance from further payment of maintenance. The court may order termination of periodic maintenance from the time of the filing of a motion to determine cohabitation,** but the remarriage **or a finding of cohabitation** shall not relieve the former spouse from the provisions of any judgment or decree or order providing for the support of any minor children.

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