

S T A T E O F N E W Y O R K

3890--A

Cal. No. 570

2009-2010 Regular Sessions

I N S E N A T E

April 2, 2009

Introduced by Sens. HASSELL-THOMPSON, ADAMS, DILAN, ESPADA, KLEIN, KRUEGER, MONTGOMERY, SAMPSON, THOMPSON -- read twice and ordered printed, and when printed to be committed to the Committee on Judiciary -- recommitted to the Committee on Judiciary in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the domestic relations law, in relation to no fault divorce

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Section 170 of the domestic relations law is amended by
2 adding a new subdivision 7 to read as follows:
3 (7) THE RELATIONSHIP BETWEEN HUSBAND AND WIFE HAS BROKEN DOWN IRRE-
4 TRIEVABLY FOR A PERIOD OF AT LEAST SIX MONTHS, PROVIDED THAT ONE PARTY
5 HAS SO STATED UNDER OATH. NO JUDGMENT OF DIVORCE SHALL BE GRANTED UNDER
6 THIS SUBDIVISION UNLESS AND UNTIL THE ECONOMIC ISSUES OF EQUITABLE
7 DISTRIBUTION OF MARITAL PROPERTY, THE PAYMENT OR WAIVER OF SPOUSAL
8 SUPPORT, THE PAYMENT OF CHILD SUPPORT, THE PAYMENT OF COUNSEL AND
9 EXPERTS' FEES AND EXPENSES AS WELL AS THE CUSTODY AND VISITATION WITH
10 THE INFANT CHILDREN OF THE MARRIAGE HAVE BEEN RESOLVED BY THE PARTIES,
11 OR DETERMINED BY THE COURT AND INCORPORATED INTO THE JUDGMENT OF
12 DIVORCE.
13 S 2. This act shall take effect on the sixtieth day after it shall
14 have become a law and shall apply to matrimonial actions commenced
15 on or after such effective date.

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets [] is old law to be omitted.

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