

4340

2011-2012 Regular Sessions

I N A S S E M B L Y

February 3, 2011

Introduced by M. of A. PERRY, COLTON, CAMARA -- Multi-Sponsored by -- M.
of A. JAFFEE, ROBINSON -- read once and referred to the Committee on
Judiciary

AN ACT to amend the domestic relations law, in relation to prohibiting a
person who has abandoned his or her spouse from collecting any portion
of the spouse's pension

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

1 Section 1. The domestic relations law is amended by adding a new
2 section 212 to read as follows:
3 S 212. ABANDONMENT; BAR TO PENSION COLLECTION. (A) NOTWITHSTANDING ANY
4 PROVISION OF LAW TO THE CONTRARY, A PERSON WHO HAS ABANDONED HIS OR HER
5 SPOUSE OR DOMESTIC PARTNER SHALL BE BARRED FROM CLAIMING OR COLLECTING,
6 AS PART OF A DISTRIBUTIVE AWARD, ANY PORTION OF A PENSION OWED TO SUCH
7 SPOUSE OR DOMESTIC PARTNER BY ANY PUBLIC OR PRIVATE EMPLOYER.
8 (B) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO BAR OR IMPEDE THE
9 ENFORCEMENT OF AN ORDER FOR CHILD SUPPORT OR FOR SPOUSAL MAINTENANCE BY
10 GARNISHMENT OR ATTACHMENT OF SUCH PENSION FUNDS OR BY OTHER MEANS.
11 S 2. This act shall take effect immediately.

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

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