

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 53rd Legislature (2012)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2441

 By: Virgin

7
8 COMMITTEE SUBSTITUTE

9 An Act relating to marriage and family; creating the
10 Alimony Guidelines Task Force; stating purpose of
11 Task Force; providing for membership; providing for
12 service of members and vacancy; providing for date of
13 appointment; providing for quorum; requiring
14 designation of cochairs by certain persons; providing
15 for convening of certain meeting and scheduling of
16 subsequent meetings; providing for staff; prohibiting
17 compensation and travel reimbursement for members;
18 directing Task Force to make certain recommendations;
19 requiring certain publication; providing for
20 codification; and providing an effective date.

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25 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

26 SECTION 1. NEW LAW A new section of law to be codified
27 in the Oklahoma Statutes as Section 145 of Title 43, unless there is
28 created a duplication in numbering, reads as follows:

29 A. The Alimony Guidelines Task Force is hereby created in order
30 to determine whether a standardized guideline for the determination

1 of alimony in dissolution of marriage or other proceedings would be
2 an equitable and effective way of regulating the ordering of alimony
3 by courts.

4 B. The purpose of the Task Force shall be to require a base-
5 line determination of the purpose of ordering support alimony,
6 either for rehabilitation or as a lifetime award and to determine
7 whether a statutory alimony guideline would be practicable. The
8 Task Force shall examine the issue and report to the President Pro
9 Tempore of the Senate and the Speaker of the House of
10 Representatives no later than January 1, 2013, and recommend a
11 proposed alimony guideline or, if the Task Force determines that a
12 guideline is not a practical and effective idea, the Task Force
13 shall recommend that no guideline be developed.

14 C. The Task Force shall consist of twelve (12) members as
15 follows:

16 1. Five members to be appointed by the President Pro Tempore of
17 the Senate as follows:

- 18 a. two family court judges whose primary responsibility
19 is in the area of marriage dissolution,
- 20 b. two practicing attorneys who have no less than ten
21 (10) years of experience in litigation primarily in
22 the area of marriage dissolution, and
- 23 c. one citizen who has been a party in a divorce; and

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1 2. Five members to be appointed by the Speaker of the House of
2 Representatives as follows:

3 a. one professor of law at a state law school who has
4 specialized in teaching family law and is aware of
5 current case and common law with respect to the
6 dissolution of marriage and the imposition of alimony
7 awards,

8 b. one family court judge whose primary responsibility is
9 in the area of marriage dissolution,

10 c. two practicing attorneys who have no less than ten
11 (10) years of experience in litigation primarily in
12 the area of marriage dissolution, and

13 d. one citizen who has been a party in a divorce; and

14 3. Two members who shall be attorneys who have no less than ten
15 (10) years of experience in the area of marriage dissolution to be
16 appointed by the Governor.

17 D. 1. Members shall serve at the pleasure of their appointing
18 authorities. A vacancy on the Task Force shall be filled by the
19 original appointing authority.

20 2. Appointment to the Task Force shall be made by December 31,
21 2012.

1 3. A majority of the members of the Task Force shall constitute
2 a quorum. A majority of the members present at a meeting may act
3 for the Task Force.

4 4. The President Pro Tempore of the Senate and the Speaker of
5 the House of Representatives shall each designate a cochair from
6 among the members of the Task Force.

7 5. The cochairs of the Task Force shall convene the first
8 meeting of the Task Force on or before January 15, 2013, at which
9 time a schedule of the meetings shall be determined.

10 E. The Task Force may use the services of the staffs of the
11 Senate and the House of Representatives and may, as necessary, seek
12 the advice and services of experts in the area of dissolution of
13 marriage and alimony settlements.

14 F. Members of the Task Force shall receive no compensation or
15 travel reimbursement for their service.

16 G. The Task Force shall publish and submit to the President Pro
17 Tempore, the Speaker of the House of Representatives, and the
18 Governor its findings and recommendations by January 31, 2013,
19 including recommendations for any resulting legislation.

20 SECTION 2. This act shall become effective November 1, 2012.

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22 COMMITTEE REPORT BY: COMMITTEE ON RULES, dated 02/29/2012 - DO PASS,
23 As Amended.