STATE OF OKLAHOMA

1st Session of the 54th Legislature (2013)

HOUSE BILL 1373 By: Virgin

AS INTRODUCED

An Act relating to marriage and family; creating the Alimony Guidelines Task Force; stating purpose of Task Force; providing for membership; providing for service of members and vacancy; providing for date of appointment; providing for quorum; requiring designation of cochairs by certain persons; providing for convening of initial meeting and scheduling of subsequent meetings; providing for staff; prohibiting compensation and travel reimbursement for members; directing Task Force to make certain recommendations; requiring certain publication; providing for codification; and providing an effective date.

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

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

A. The Alimony Guidelines Task Force is hereby created in order to determine whether a standardized guideline for the determination of alimony in dissolution of marriage or other proceedings would be an equitable and effective way of regulating the ordering of alimony by courts.

B. The purpose of the Task Force shall be to require a base-line determination of the purpose of ordering support alimony, either for rehabilitation or as a lifetime award and to determine whether a statutory alimony guideline would be practicable. The Task Force shall examine the issue and recommend a proposed alimony guideline or, if the Task Force determines that a guideline is not a practical and effective idea, the Task Force shall recommend that no guideline be developed.

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

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

a. two family court judges whose primary responsibility is in the area of marriage dissolution,

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

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

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

a. one professor of law at a state law school who has specialized in teaching family law and is aware of current case and common law with respect to the

dissolution of marriage and the imposition of alimony awards,

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

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

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

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

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

2. Appointment to the Task Force shall be made by December 31, 2013.

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

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

5. The cochairs of the Task Force shall convene the first meeting of the Task Force on or before January 15, 2014, at which time a schedule of the meetings shall be determined.

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

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

G. The Task Force shall publish and submit to the President Pro Tempore, the Speaker of the House of Representatives, and the Governor a report of its findings and recommendations by December 31, 2014, including recommendations for any resulting legislation.

SECTION 2. This act shall become effective November 1, 2013.

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