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LEGISLATIVE ACTION

Senate

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House

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Floor: 9/RS/3R

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04/04/2013 03:19 PM

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Senator Flores moved the following:

Senate Amendment (with title amendment)

Delete lines 653 - 658

and insert:

upward and upon a showing by a preponderance of the evidence of permanently increased ability to pay alimony. Absent a finding of fraud, an increase in an obligor's income may not be considered permanent in nature unless the increase has been maintained without interruption for at least 2 years, taking into account the obligor's ability to sustain his or her income.

2. An alimony order shall be modified downward upon a showing by a preponderance of the evidence of a permanently



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14 decreased ability to pay alimony. Absent a finding of fraud a
15 decrease in an obligor's income may not be considered permanent
16 in nature unless the decrease has been maintained without
17 interruption for at least 2 years, taking into account the
18 obligor's ability to sustain his or her income.

19
20 ===== T I T L E A M E N D M E N T =====

21 And the title is amended as follows:

22 Delete line 48

23 and insert:

24
25 to pay alimony by the other party; requiring an
26 alimony order be modified downward under certain
27 circumstances; prohibiting an