

2A:34-23d

LEGISLATIVE HISTORY CHECKLIST
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(Divorce--insurance)

USA: 2A:34-23d

LAWS OF: 1997 CHAPTER: 405

BILL NO: A66

SPONSOR(S): Kavanaugh and others

DATE INTRODUCED: Pre-filed

COMMITTEE: ASSEMBLY: Judiciary
SENATE: Women's Issues

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: ASSEMBLY: June 17, 1996
SENATE: January 12, 1998

DATE OF APPROVAL: January 19, 1998

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: ASSEMBLY: Yes
SENATE: Yes

FISCAL NOTE: No

VE TO MESSAGE: No

MESSAGE ON SIGNING: No

FOLLOWING WERE PRINTED:
REPORTS:

Yes

HEARINGS:

No

974.90 New Jersey. Commission To Study the Law of Divorce.
M359 Report... April 18, 1995. Trenton, 1995.
1995a [see recommendation 4 -0- p.20]

974.90 New Jersey. Commission To Study the Law of Divorce.
M359 Preliminary report... March 15, 1995. Trenton, 1995.
1995 [see recommendaiton 4 -- pp.24-25]

KBP:pp

P.L. 1997, CHAPTER 405, *approved January 19, 1998*
Assembly, No. 66

1 AN ACT concerning divorce and supplementing Title 2A of the New
2 Jersey Statutes.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. a. Upon filing of a complaint for an action for divorce, nullity
8 or separate maintenance, where the custody, visitation or support of
9 a minor child is an issue, the party who has maintained all existing
10 insurance coverage or coverage traditionally maintained during the
11 marriage, including but not limited to, all health, disability, home or
12 life insurance, shall continue to maintain or continue to share in the
13 cost of maintaining the coverage.

14 b. If a party who has maintained the existing insurance coverage or
15 has shared in the cost of maintaining the coverage has had a
16 voluntarily or involuntarily change in employment status, which may
17 cause the existing insurance coverage to terminate, then that party
18 shall notify the other party that it may be necessary to reallocate the
19 financial responsibilities of maintaining the coverage.

20 c. Upon receipt of this notice, the party may petition the court to
21 reallocate financial responsibilities.

22 d. The court may take any action it deems appropriate to reallocate
23 financial responsibilities including but not limited to ordering a party
24 to obtain comparable coverage or releasing a party from the obligation
25 or any other order.

26

27 2. This act shall take effect immediately.

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32 Requires parties in a divorce action to maintain certain insurance
33 coverages.

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblyman KAVANAUGH

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28

29

30

STATEMENT

31

32 This bill would require the parties in a divorce action to continue to
33 maintain or continue to share in the cost of maintaining all existing
34 insurance coverage as of the date of the filing of the action and until
35 the judgement is entered or it is otherwise agreed to by the parties.

1 The bill would also require the party who has maintained the
2 coverage to notify the other party when there is a change in that
3 party's employment status which would make insurance coverage
4 unavailable. Nothing in this bill would diminish the authority of the
5 court to make appropriate changes concerning the coverage.

6 This bill embodies recommendation number 4 of the report of the
7 Commission to Study the Law of Divorce, issued April 18, 1995.

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12 _____
13 Requires parties in a divorce action to maintain certain insurance
coverages.

ASSEMBLY JUDICIARY COMMITTEE

STATEMENT TO
ASSEMBLY, No. 66

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STATE OF NEW JERSEY

DATED: MAY 20, 1996

The Assembly Judiciary Committee reports favorably Assembly Bill No. 66.

This bill would require the parties in a divorce action to continue to maintain or continue to share in the cost of maintaining all existing insurance coverage as of the date of the filing of the action and until the judgment is entered or it is otherwise agreed to by the parties.

The bill would also require the party who has maintained the coverage to notify the other party when there is a change in that party's employment status which would make insurance coverage unavailable.

Nothing in this bill would diminish the authority of the court to make appropriate changes concerning the coverage.

This bill embodies recommendation number 4 of the report of the Commission to Study the Law of Divorce, issued April 18, 1995.

This bill was prefiled for introduction in the 1996 session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.

SENATE WOMEN'S ISSUES, CHILDREN AND FAMILY
SERVICES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 66

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STATE OF NEW JERSEY

DATED: OCTOBER 7, 1996

The Senate Women's Issues, Children and Family Services Committee reports favorably Assembly Bill No. 66.

This bill would require the parties in a divorce action to continue to maintain or continue to share in the cost of maintaining all existing insurance coverage as of the date of the filing of the action and until the judgment is entered or it is otherwise agreed to by the parties.

The bill would also require the party who has maintained the coverage to notify the other party when there is a change in that party's employment status which would make insurance coverage unavailable.

Nothing in this bill would diminish the authority of the court to make appropriate changes concerning the coverage.

This bill embodies Recommendation 4 of the report of the Commission to Study the Law of Divorce, issued April 18, 1995.

This bill is identical to Senate Bill No. 1493, sponsored by Senator James Cafiero, which was also released by this committee on October 7, 1996.