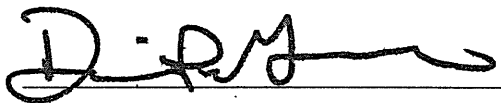
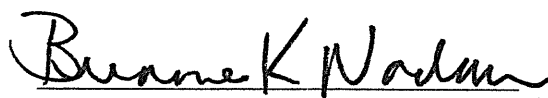
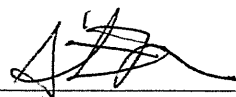


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2 Councilmember David Grosso



Councilmember Brianne K. Nadeau



Councilmember Anita D. Bonds

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9 A BILL

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13 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
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18 To amend Chapter 9 of Title 16 of the District of Columbia Official Code to allow for an injured
19 spouse to be granted a divorce within 3 months upon the finding of an intrafamily
20 violence; to prohibit an award of alimony, any interest in the injured spouse's pension
21 and retirement benefits or attorney fees to a spouse when there has been a judicial finding
22 they have committed an intrafamily offense; to void any claim of stemming from an
23 affidavit of support of the injuring spouse against the injured spouse if entered into before
24 a finding of intrafamily violence.
25

26 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
27 act may be cited as the "Alimony Justice for Injured Spouses Amendment Act of 2018".

28 Sec. 2. Chapter 9 of Title 16 of the District of Columbia Official Code is amended as
29 follows:

30 (a) Section 16-904(a) is amended as follows:

31 (1) Paragraph (2) is amended by striking the period and inserting the phrase "
32 and" in its place.

33 (2) A new paragraph (3) is added to read as follows:

34 “(3) Upon a judicial finding of an intrafamily offense, the parties may obtain a
35 divorce within 3 months of filing a complaint provided that they have lived separate and apart
36 since the date of the intrafamily offense. The spouse who has been found to have committed the
37 intrafamily offense may not delay the divorce proceedings.”

38 (b) Section 16-913 is amended by adding new subsections (e) and (f) to read as follows:

39 “(e) Notwithstanding subsection (a) of this section, in any proceeding for dissolution of
40 marriage where there is a judicial finding of an intrafamily offense as defined in section §16-
41 1001(8) by one spouse against the other spouse:

42 “(1) The injuring spouse shall be prohibited from any award of alimony;

43 “(2) The injuring spouse shall not be entitled to claim any part of the injured
44 spouse’s retirement and pension benefits;

45 “(3) Any agreement or affidavit of support of the injuring spouse against the
46 injured spouse shall be deemed void if entered into before the date of the intrafamily offense; and

47 “(4) The injuring spouse shall not be entitled to claim any attorney fees from the
48 injured spouse’s separate property.

49 “(f) For purposes of this section:

50 “(1) “Injured spouse” means the spouse who has been the subject of intrafamily
51 violence or who is protected by a civil protection order.

52 “(2) “Injuring spouse” means the spouse who has been determined by a judicial
53 finding to have committed an intrafamily offense or is the subject of a civil protection order
54 brought by the injured spouse.”.

55

56 Sec. 4. Fiscal impact statement.

57 The Council adopts the fiscal impact statement in the committee report as the fiscal
58 impact statement required by section 4a of the General Legislative Procedures Act of 1975,
59 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

60 Sec. 5. Effective date.

61 This act shall take effect after approval by the Mayor (or in the event of veto by the
62 Mayor, action by the Council to override the veto), a 30-day period of congressional review as
63 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
64 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
65 Columbia Register.