

SENATE FILE NO. SF0046

Protecting veteran disability compensation in divorce.

Sponsored by: Joint Transportation, Highways and Military
Affairs Interim Committee

A BILL

for

1 AN ACT relating to domestic relations; limiting the
2 consideration of veteran's disability benefits in the
3 division of property upon divorce as specified; and
4 providing for an effective date.

5

6 *Be It Enacted by the Legislature of the State of Wyoming:*

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8 **Section 1.** W.S. 20-2-114 is amended to read:

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10 **20-2-114. Disposition of property to be equitable;**
11 **factors; alimony generally.**

12

13 (a) Except as provided in subsection (b) of this
14 section, in granting a divorce, the court shall make such
15 disposition of the property of the parties as appears just
16 and equitable, having regard for the respective merits of

1 the parties and the condition in which they will be left by
2 the divorce, the party through whom the property was
3 acquired and the burdens imposed upon the property for the
4 benefit of either party and children. The court may decree
5 to either party reasonable alimony out of the estate of the
6 other having regard for the other's ability to pay and may
7 order so much of the other's real estate or the rents and
8 profits thereof as is necessary be assigned and set out to
9 either party for life, or may decree a specific sum be paid
10 by either party.

11
12 (b) In making a disposition of property pursuant to
13 this section, a court shall not do any of the following:

14
15 (i) Consider any federal disability benefits
16 awarded to a veteran for service-connected disabilities
17 pursuant to title 38, chapter 11 of the United States Code;

18
19 (ii) Indemnify a veteran's spouse or former
20 spouse for any waiver or reduction in military retirement
21 or retainer pay related to receipt of veteran disability
22 benefits pursuant to title 38, chapter 11 of the United
23 States Code;

1 (iii) Award any other income or property of the
2 veteran to the veteran's spouse or former spouse as
3 compensation for any waiver or reduction in military
4 retirement or retainer pay related to receipt of veteran
5 disability benefits pursuant to title 38, chapter 11 of the
6 United States Code.

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8 **Section 2.** This act is effective July 1, 2013.

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10 (END)