

HB 142 - AS INTRODUCED

2021 SESSION

21-0099

05/04

HOUSE BILL            **142**

AN ACT                relative to causes for divorce.

SPONSORS:            Rep. DeSimone, Rock. 14

COMMITTEE:          Children and Family Law

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ANALYSIS

This bill revises the fault-based grounds for divorce.

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Explanation:          Matter added to current law appears in ***bold italics***.  
Matter removed from current law appears ~~in brackets and struck through.~~  
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty One*

AN ACT                   relative to causes for divorce.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1           1 Causes for Divorce; Absolute Divorce; Sexual Misconduct. RSA 458:7, II is repealed and  
2 reenacted to read as follows:

3           II. Sexual misconduct of either party, which includes the following:

4           (a) Adultery of either party. In this section, "adultery" means voluntary sexual  
5 intercourse with someone other than a party's legal spouse.

6           (b) Other sexual misconduct. In this section, "other sexual misconduct" means  
7 voluntarily engaging in oral genital sex or anal intercourse, and includes, but is not limited to, the  
8 intentional touching of the genitalia, anus, breasts, or buttocks that can be reasonably construed as  
9 being for the purpose of arousal or gratification between a married person and someone other than  
10 the married person's legal spouse.

11          2 Causes for Divorce; Absolute Divorce; Alcohol or Drug Abuse. Amend RSA 458:7, VII to read  
12 as follows:

13          VII. When either party [~~is an habitual drunkard, and has been such for 2 years together~~]  
14 ***habitually abuses alcohol or drugs and has been doing so for 2 or more years.***

15          3 Effective Date. This act shall take effect January 1, 2022.