

SENATE BILL 2559  
By Cohen

AN ACT to amend Tennessee Code Annotated, Title 36, Chapter 4; Title 36, Chapter 5; Title 36, Chapter 6 and Title 50, Chapter 2, relative to domestic relations.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 36-5-101(a)(2)(B), is amended by adding the words "dies or" between the word "person" and the word "remarries" in the third line of the subdivision.

SECTION 2. Tennessee Code Annotated, Section 36-5-101(a)(2)(B), is amended by adding the words "death or" between the word "the" and the word "remarriage" in the fifth line of the subsection.

SECTION 3. Tennessee Code Annotated, Section 36-5-101(a)(4)(A), is amended by adding the words "or spouse" between the word "children" and the word "shall" in the second line of the subsection.

SECTION 4. Tennessee Code Annotated, Title 36, Chapter 5, Part 5, is amended by adding a new subsection 36-5-501(b), and by redesignating the subsequent sections appropriately:

(b)

(1) For any order of alimony in solido, in futuro or rehabilitative issued modified or enforced on or after the effective date of this act, the court may order immediate assignment of the obligor's income, including, but not necessarily limited to: wages, salary, commissions, bonuses, workers' compensation, disability, payments pursuant to a pension or retirement program, profit-sharing, interest, annuities and other income due or to become due to the obligor. The order of assignment shall issue regardless of whether support payments are in arrears on the effective date of the order. The court's order may include an amount sufficient to satisfy an accumulative arrearage, if any, within a reasonable time. Withholding shall not exceed fifty percent (50%) of the employee's income after FICA, withholding taxes, and a health insurance premium which covers the child, if any, are deducted. The order shall also include an amount necessary to cover the fee due the clerk of the court or the department, if appropriate.

SECTION 5. Tennessee Code Annotated, Section 36-5-501, is further amended by deleting subdivision (j)(2) and redesignating subdivision (j)(1) as subsection (j).

SECTION 6. Tennessee Code Annotated, Section 50-2-105(b), is amended by inserting the words "and/or spousal support" between the word "support" and the word "shall" in the first line of the subsection.

SECTION 7. Tennessee Code Annotated, Section 36-6-409(4), is amended by omitting the word "or" after the punctuation ";" in subdivision (B) and by adding a new subdivision (C) as follows and renumbering subsequent subdivisions appropriately:

(C) Enters a default judgment against the defendant; or

SECTION 8. Tennessee Code Annotated, Section 36-4-121(b)(2)(A), is amended by deleting the punctuation ";" at the end of the subdivision and by adding the words "including, but

not limited to, assets held in individual retirement accounts (IRA's) as that term is defined in the Internal Revenue Code of 1986, as amended;" after the word "marriage"

SECTION 9. This act shall take effect upon becoming a law, the public welfare requiring it.