

121 (g) When a marriage of long duration dissolves on the threshold of a major change in  
 122 the income of one of the spouses due to the collective efforts of both, that change shall be  
 123 considered in dividing the marital property and in determining the amount of alimony. If one  
 124 spouse's earning capacity has been greatly enhanced through the efforts of both spouses during  
 125 the marriage, the court may make a compensating adjustment in dividing the marital property  
 126 and awarding alimony.

127 (h) In determining alimony when a marriage of short duration dissolves, and no  
 128 children have been conceived or born during the marriage, the court may consider restoring  
 129 each party to the condition which existed at the time of the marriage.

130 (i) (i) The court has continuing jurisdiction to make substantive changes and new  
 131 orders regarding alimony based on a substantial material change in circumstances not  
 132 foreseeable at the time of the divorce.

133 (ii) The court may not modify alimony or issue a new order for alimony to address  
 134 needs of the recipient that did not exist at the time the decree was entered, unless the court  
 135 finds extenuating circumstances that justify that action.

136 (iii) In determining alimony, the income of any subsequent spouse of the payor may not  
 137 be considered, except as provided in this Subsection (8).

138 (A) The court may consider the subsequent spouse's financial ability to share living  
 139 expenses.

140 (B) The court may consider the income of a subsequent spouse if the court finds that  
 141 the payor's improper conduct justifies that consideration.

142 (j) Alimony may not be ordered for a duration longer than the number of years that the  
 143 marriage existed unless, at any time prior to termination of alimony, the court finds extenuating  
 144 circumstances that justify the payment of alimony for a longer period of time[-], **Ĥ→ [:**

145 ~~—— (i) expenses included in the alimony award for the benefit of both the child and~~  
 146 ~~recipient spouse may continue until the last child reaches the age of 18; and~~

147 ~~—— (ii) the court shall order that ←Ĥ expenses awarded for the benefit of a specific child~~  
 147a ~~shall end on the day that child~~

148 **Ĥ→ [turns 18] becomes emancipated ←Ĥ .**

149 (9) Unless a decree of divorce specifically provides otherwise, any order of the court  
 150 that a party pay alimony to a former spouse automatically terminates upon the remarriage or  
 151 death of that former spouse **Ĥ→ [f] . [f] Ĥ→ [ , except that expenses awarded for the benefit**  
 151a **of a specific child**

152 ~~may not end upon the remarriage of the former spouse.] ←H~~ However, if the remarriage is annulled  
153 and found to be void ab initio, payment of alimony shall resume if the party paying alimony is  
154 made a party to the action of annulment and the payor party's rights are determined.  
155 (10) Any order of the court that a party pay alimony to a former spouse terminates  
156 upon establishment by the party paying alimony that the former spouse is cohabitating with  
157 another person H→ [f] . [3] [~~except that expenses awarded for the benefit of a specific child may not~~  
158 ~~terminate.] ←H~~

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Legislative Review Note  
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