

SENATE BILL NO. 2175

Introduced by

Senators Wardner, Lyson

Representatives K. Koppelman, Larson, Delmore

1 | A BILL for an Act to amend and reenact ~~sections 14-07-07 and~~section 14-07-08 of the North
2 | Dakota Century Code, relating to the liabilities of husband and wife.

3 | **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 | ~~— **SECTION 1. AMENDMENT.** Section 14-07-07 of the North Dakota Century Code is~~
5 | ~~amended and reenacted as follows:~~

6 | ~~— **14-07-07. Contracts to alter marital relations.**~~

7 | ~~— A husband and wife cannot by any contract with each other alter their marital relations,~~
8 | ~~except that they may agree in writing to an immediate separation and may make provision for~~
9 | ~~the support of either of them and of their children during such separation. The mutual consent of~~
10 | ~~the parties is a sufficient consideration for such a separation agreement. A legal separation is~~
11 | ~~required to effect third-party liability.~~

12 | **SECTION 2. AMENDMENT.** Section 14-07-08 of the North Dakota Century Code is
13 | amended and reenacted as follows:

14 | **14-07-08. ~~Separate and mutual rights~~Rights and liabilities of husband and wife.**

15 | The ~~separate and~~ mutual rights and liabilities of a husband and a wife are as follows:

16 | 1. Neither the husband nor the wife as such is answerable for the acts of the other.

17 | 2. ~~The earnings of one spouse are not liable for the debts of the other spouse, and the~~
18 | ~~earnings and accumulations of either spouse and of any minor children living with~~
19 | ~~either spouse or in one spouse's custody, while the husband and wife are living~~
20 | ~~separate~~legally separated from each other, are the separate property of each spouse,
21 | ~~except as to third parties as provided in section 14-07-07.~~

22 | ~~— 3.—~~ The husband and wife are liable jointly and severally for any debts contracted by
23 | either, ~~while living together~~unless legally separated, for necessary household supplies

- 1 of food, clothing, and fuel, medical care, and for shelter for themselves and family, and
2 for the education of their minor children, ~~except as provided in section 14-07-07.~~
3 4.3. The separate property of the husband or wife is not liable for the debts of the other
4 spouse but each is liable for their own debts contracted before or after marriage.