

6032-S

Sponsor(s): Senate Committee on Judiciary (originally sponsored by Senators Parlette and McCaslin)

Brief Description: Revising the liability of a spouse for the acts of the other spouse.

SB 6032-S - DIGEST

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that debt incurred during a marriage by one spouse without the knowledge or consent of the other spouse when no community benefit is realized shall not be considered a community debt and is an affirmative defense of the nonconsenting spouse. The burden of proof shall be upon the nonconsenting spouse as to lack of knowledge and benefit. The party seeking to hold the nonconsenting spouse liable has the burden of proof as to all other issues. For the purposes of this act, a debt is any obligation arising out of an express or implied contract.