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Insights

Gov. DeSantis Vetoes Florida Legislature's Attempt to Reform Alimony Statutes

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For years, Florida's Legislature has attempted to overhaul Florida's alimony law. And this year was no different, as Florida's Legislature once again attempted to enact sweeping changes in an effort to reform Florida's alimony statutes. On June 24 2022, Governor Ron DeSantis vetoed the current bill (CS/CS/SB 1796).

Similar bills have been previously vetoed by prior Florida governors as well, including by Governor Rick Scott in 2016. In explaining why, Governor DeSantis explained that, had the changes gone into effect, the retroactive nature of the bill would "unconstitutionally impair vested rights under certain preexisting marital settlement agreements." The Family Law Section of the Florida Bar – among others – had lobbied against the changes, which, in addition to eliminating "permanent alimony", also limited the availability of durational alimony to marriages of longer than 3 years and further capped how long a recipient could get durational alimony (for example, for marriages between 3-10 years, the duration of alimony would have been capped at 60% of the length of the marriage). The amount of durational alimony awarded by a court would also not have been permitted to exceed 35% of the difference between the parties' net incomes. Other significant changes included extensive provisions related to retirement, and the modification/termination of alimony accordingly.

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