

House Research Act Summary

CHAPTER: 338

SESSION: 2002 Regular Session

TOPIC: Postmarital Property Agreement Act Amendments

Date: May 21, 2002

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Overview

The act amends the current statute on postnuptial agreements under Minn. Stat. § 519.11. This statute allows married couples to make agreements about their rights to each other's property.

1 **Postnuptial contract.** First, eliminates the requirement that each spouse entering a postnuptial agreement has a specified amount of assets in that spouse's name.

Second, makes a postnuptial contract or settlement presumably unenforceable if either party starts a dissolution or legal separation proceeding within two years of the date of execution, unless the spouse seeking enforcement can establish that the contract or settlement is fair and equitable. Under prior law a contract or settlement was never valid if a divorce or legal separation was started within two years after its execution.