

February 11, 2025

Chair Scheible and
Senate Committee on Judiciary
Via Email *Only*: SenJUD@sen.state.nv.us

Re: Opposition to Senate Bill 126 (BDR 11-582)
Sponsor: - Senator Neal

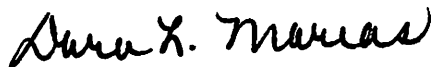
Dear Chair Scheible and Committee Members:

As a family law attorney, I strongly oppose SB 126 (BDR 11-582) as its application would create circumstances that run afoul of NRS 125.150, which mandates that marital property be equally divided.

Most every other state has adopted the qualitative "time rule" formula because it comes the closest to ensuring equity in most cases. It is used for all defined benefit pension plans. With the time-rule successive spouses are treated equally, irrespective of when they were married to the spouse with the pension. Further, if both parties have retirement benefits, the PERS spouse gets the advantage of the time rule, which gives the PERS spouse a larger interest in the other spouse's pension. In comparison, the non-PERS spouse would get less interest in the PERS spouse's retirement because of the frozen benefit rule. This difference, if not compensated, results in an unequal division of marital assts.

Therefore, I strongly oppose SB 126 (BDR 11-582).

Warm regards,

A handwritten signature in black ink that reads "DARA L. MARIAS". The signature is written in a cursive, flowing style.

DARA L. MARIAS, JD, MSW
NV BAR NO. 5242