

Department of Legislative Services
Maryland General Assembly
2000 Session

FISCAL NOTE

House Bill 1099 (Delegate Rosenberg, *et al.*)

Judiciary

Divorce and Annulment - Removal of Religious Barriers to Remarriage

This bill provides that a party who files a complaint or countercomplaint for an absolute divorce or annulment must file, on the request of the other party, an affidavit stating that the affiant has taken all steps solely within the affiant's control to remove all religious barriers to remarriage by the other party. If such an affidavit is requested, the court may not enter a decree for an absolute divorce or annulment until the affidavit is filed.

The bill applies to cases pending or filed on or after the bill's October 1, 2000 effective date.

Fiscal Summary

State Effect: The bill would not directly affect State operations or finances.

Local Effect: The bill would not significantly impact circuit court operations or finances.

Small Business Effect: None.

Analysis

Current Law: Parties to divorce or annulment proceedings are not required to take steps to remove religious barriers to remarriage by the other party.

Background: Under Jewish law, if a woman wants to remarry after a civil divorce and remain in the faith, her husband must grant her a religious divorce decree called a "get."

Additional Information

Prior Introductions: Similar bills were introduced during the 1999, 1998, and 1997 sessions. HB 430 of 1999 passed the House Judiciary Committee but was special ordered to this session. HB 415 of 1998 received an unfavorable report from the House Judiciary Committee (companion bill SB 353 was withdrawn). HB 1135 of 1997 received an unfavorable report from the House Judiciary Committee, while SB 747 received an unfavorable report from the Senate Judicial Proceedings Committee.

Cross File: SB 374 (Senator Hoffman, *et al.*) - Judicial Proceedings.

Information Source(s): Judiciary (Administrative Office of the Courts), Department of Legislative Services

Fiscal Note History: First Reader - February 17, 2000
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