

Article - Family Law

[Previous][Next]

§4–301.

- (a) (1) An individual is not liable for:
 - (i) any debt contracted by the individual's spouse before the marriage; or
 - (ii) any claim or demand against the spouse that arose before the marriage.
- (2) The debtor spouse and that spouse's property are liable for the debt as if the marriage had not occurred.
- (b) A husband is not liable:
 - (1) for a tort that is committed:
 - (i) separately by his wife; and
 - (ii) without his participation or sanction; or
 - (2) on a contract made by his wife in her own name and on her own responsibility.
- (c) A judgment or decree in a proceeding under § 4-205(b) of this title shall:
 - (1) be passed against the wife only; and
 - (2) operate only on the property she owned individually before or after the marriage.
- (d) (1) Except as provided in paragraph (2) of this subsection, the property that a woman owns at the time of her marriage, or acquires after her marriage, is not liable for the payment of her husband's debts.
 - (2) (i) A transfer of property between spouses is invalid if made in prejudice of the rights of present creditors.
 - (ii) A claim under this paragraph shall be asserted within 3 years after the transfer or be barred absolutely.
 - (iii) For purposes of this paragraph, all claims are considered due and matured.

[Previous][Next]