

HOUSE BILL 1157

D4

8lr3104

By: **Delegates Malone and McMillan**

Introduced and read first time: February 8, 2018

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Grounds for Divorce – Mutual Consent – Settlement in Open Court**

3 FOR the purpose of authorizing a court to grant an absolute divorce on the grounds of
4 mutual consent if both parties to the divorce orally offer on the record in open court
5 a certain settlement agreement; and generally relating to absolute divorce.

6 BY repealing and reenacting, with amendments,
7 Article – Family Law
8 Section 7–103(a)(8)
9 Annotated Code of Maryland
10 (2012 Replacement Volume and 2017 Supplement)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
12 That the Laws of Maryland read as follows:

13 **Article – Family Law**

14 7–103.

15 (a) The court may decree an absolute divorce on the following grounds:

16 (8) mutual consent, if:

17 (i) the parties do not have any minor children in common;

18 (ii) the parties execute and submit to the court a written settlement
19 agreement signed by both parties **OR BOTH PARTIES ORALLY OFFER ON THE RECORD**
20 **IN OPEN COURT A SETTLEMENT AGREEMENT** that resolves all issues relating to:

21 1. alimony; and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 2. the distribution of property, including the relief provided
2 in §§ 8–205 and 8–208 of this article;

3 (iii) neither party files a pleading to set aside the settlement
4 agreement prior to the divorce hearing required under the Maryland Rules; and

5 (iv) both parties appear before the court at the absolute divorce
6 hearing.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 October 1, 2018.