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By: **Delegate Grosfeld**

Introduced and read first time: February 3, 1999

Assigned to: Judiciary

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A BILL ENTITLED

1 AN ACT concerning

2 **Family Law - Alimony**

3 FOR the purpose of authorizing a court, as part of a decree that grants a limited or  
4 absolute divorce, to award alimony to either party, regardless of whether the  
5 party seeking alimony alleges or proves the existence of a ground that would  
6 entitle that party to a limited or absolute divorce; making stylistic changes;  
7 providing for the application of this Act; and generally relating to an award of  
8 alimony.

9 BY repealing and reenacting, with amendments,

10 Article - Family Law

11 Section 11-101

12 Annotated Code of Maryland

13 (1991 Replacement Volume and 1998 Supplement)

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

16 **Article - Family Law**

17 11-101.

18 (a) The court may award alimony:

19 (1) on a bill of complaint for alimony; or

20 (2) as a part of a decree that grants:

21 (i) an annulment;

22 (ii) a limited divorce; or

23 (iii) an absolute divorce.

24 (b) (1) The court may award alimony to either party.

1           (2)       AS PART OF A DECREE THAT GRANTS A LIMITED OR ABSOLUTE  
2 DIVORCE, THE COURT MAY AWARD ALIMONY TO EITHER PARTY, REGARDLESS OF  
3 WHETHER THE PARTY SEEKING ALIMONY ALLEGES OR PROVES THE EXISTENCE OF A  
4 GROUND THAT WOULD ENTITLE THAT PARTY TO A LIMITED OR ABSOLUTE DIVORCE.

5       (c)       If a final disposition as to alimony has been made in an agreement  
6 between the parties, the court is bound by that agreement as the agreement relates to  
7 alimony.

8       (d)       Notwithstanding ANY OF the provisions of [subsections (a), (b), and (c) of]  
9 this section, the court may not award alimony on a bill of complaint for alimony to the  
10 spouse of a resident in a related institution as defined in § 19-301 of the Health -  
11 General Article, if the petitioner attempts to satisfy the separation grounds for  
12 divorce under §§ 7-102 and 7-103 of this article based on the spouse's residence in  
13 the related institution.

14       SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply only  
15 to cases filed on or after the effective date of this Act.

16       SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
17 October 1, 1999.