

SENATE BILL 85

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1999 Regular Session
9lr0603

By: **Senator Stone**

Introduced and read first time: January 15, 1999

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Family Law - Denial of or Interference with Visitation - Remedies**

3 FOR the purpose of authorizing a court in a custody or visitation proceeding to order
4 a party who has unjustifiably denied or interfered with visitation rights to pay
5 certain expenses of the other party; providing for the application of this Act; and
6 generally relating to remedies for the denial of or interference with visitation
7 granted in a custody or visitation order.

8 BY repealing and reenacting, with amendments,
9 Article - Family Law
10 Section 9-105
11 Annotated Code of Maryland
12 (1999 Replacement Volume)

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

15 **Article - Family Law**

16 9-105.

17 In any custody or visitation proceeding, if the court determines that a party to a
18 custody or visitation order has unjustifiably denied or interfered with visitation
19 granted by a custody or visitation order, the court may, in addition to any other
20 remedy available to the court and in a manner consistent with the best interests of
21 the child, take any or all of the following actions:

22 (1) order that the visitation be rescheduled;

23 (2) modify the custody or visitation order to require additional terms or
24 conditions designed to ensure future compliance with the order; [or]

25 (3) assess costs or counsel fees against the party who has unjustifiably
26 denied or interfered with visitation rights; OR

1 (4) ORDER THE PARTY WHO HAS UNJUSTIFIABLY DENIED OR
2 INTERFERED WITH VISITATION RIGHTS TO PAY TO THE OTHER PARTY THE
3 REASONABLE EXPENSES, INCLUDING LOST WAGES AND TRAVEL EXPENSES,
4 INCURRED BY THE OTHER PARTY IN ATTENDING THE CUSTODY OR VISITATION
5 PROCEEDING.

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to
7 actions to enforce child custody or visitation orders filed on or after the effective date
8 of this Act.

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