

HOUSE BILL 87

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HB 247/99 - JUD

2000 Regular Session
0lr0203

(PRE-FILED)

By: **Delegate Grosfeld**

Requested: June 23, 1999

Introduced and read first time: January 12, 2000

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Family Law - Alimony - Grounds for Divorce**

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

7 BY repealing and reenacting, with amendments,
8 Article - Family Law
9 Section 11-101
10 Annotated Code of Maryland
11 (1999 Replacement Volume and 1999 Supplement)

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

14 **Article - Family Law**

15 11-101.

16 (a) The court may award alimony:

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

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

19 (i) an annulment;

20 (ii) a limited divorce; or

21 (iii) an absolute divorce.

22 (b) The court may award alimony to either party, REGARDLESS OF WHETHER
23 THE PARTY SEEKING ALIMONY PROVES THE EXISTENCE OF A GROUND THAT WOULD
24 ENTITLE THAT PARTY TO A LIMITED OR ABSOLUTE DIVORCE.

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

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

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

12 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 October 1, 2000.