

Department of Legislative Services
Maryland General Assembly
2000 Session

FISCAL NOTE
Revised

Senate Bill 529 (Senators Forehand and Ruben)

Judicial Proceedings

Family Law - Denial of Custody or Visitation - Murder

This bill prohibits a court from awarding custody of a child or visitation with a child to a parent convicted of first or second degree murder of the other parent of the child, another child of the parent, or any individual who resides in the household of the parent, unless good cause to the contrary is shown by clear and convincing evidence. A court may approve a supervised visitation arrangement if specified conditions are met.

The bill applies only to offenses committed on or after the bill's October 1, 2000 effective date.

Fiscal Summary

State Effect: None.

Local Effect: The bill would not materially affect circuit court operations.

Small Business Effect: None.

Analysis

Current Law: Sections 9-101 and 9-101.1 of the Family Law Article require a court to take evidence of abuse into consideration when making a child custody or visitation determination.

Additional Information

Prior Introductions: This bill was introduced during the 1999 session as HB 23, but did not pass after the appointment of a conference committee. A similar bill was introduced during the 1998 session as SB 46. It passed the Senate but received an unfavorable report from the House Judiciary Committee.

Cross File: HB 179 (Delegates Menes and Grosfeld) - Judiciary.

Information Source(s): Judiciary (Administrative Office of the Courts), Department of Human Resources, Department of Legislative Services

Fiscal Note History: First Reader - February 15, 2000

cm/jr

Revised - Senate Third Reader - March 21, 2000

Analysis by: Claire E. Rooney

Direct Inquiries to:

John Rixey, Coordinating Analyst

(410) 946-5510

(301) 970-5510