
By: **Delegate Grosfeld**
Introduced and read first time: January 22, 2001
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 an annulment or limited or absolute divorce; requiring
6 certain persons seeking alimony on a bill of complaint for alimony to prove the
7 existence of a ground that would entitle that person to an annulment or limited
8 or absolute divorce; making stylistic changes; providing for the application of
9 this Act; and generally relating to alimony.

10 BY repealing and reenacting, with amendments,
11 Article - Family Law
12 Section 11-101
13 Annotated Code of Maryland
14 (1999 Replacement Volume and 2000 Supplement)

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

17 **Article - Family Law**

18 11-101.

- 19 (a) The court may award alimony:
- 20 (1) on a bill of complaint for alimony; or
 - 21 (2) as a part of a decree that grants:
 - 22 (i) an annulment;
 - 23 (ii) a limited divorce; or
 - 24 (iii) an absolute divorce.

1 (b) (1) [The] BEFORE THE COURT AWARDS ALIMONY UNDER SUBSECTION
2 (A)(1) OF THIS SECTION, THE PARTY SEEKING ALIMONY SHALL PROVE THE
3 EXISTENCE OF A GROUND THAT WOULD ENTITLE THAT PARTY TO AN ANNULMENT
4 OR LIMITED OR ABSOLUTE DIVORCE.

5 (2) WHEN AWARDING ALIMONY UNDER SUBSECTION (A)(2) OF THIS
6 SECTION, THE court may award alimony to either party, REGARDLESS OF WHETHER
7 THE PARTY SEEKING ALIMONY PROVES THE EXISTENCE OF A GROUND THAT WOULD
8 ENTITLE THAT PARTY TO AN ANNULMENT OR LIMITED OR ABSOLUTE DIVORCE.

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

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

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

20 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 October 1, 2001.