

**Department of Legislative Services**  
Maryland General Assembly  
2001 Session

**FISCAL NOTE**

House Bill 221  
Judiciary

(Delegate Grosfeld)

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

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This bill provides that, before a court awards alimony on a bill of complaint for alimony, the party seeking alimony must prove the existence of a ground that would entitle that party to an annulment or limited or absolute divorce. When awarding alimony as a part of a decree that grants an annulment, a limited divorce, or an absolute divorce, the court may award alimony to either party, regardless of whether the party seeking alimony proves the existence of a ground that would entitle that party to an annulment or limited or absolute divorce.

The bill applies only to cases filed on or after the bill's October 1, 2001 effective date.

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**Fiscal Summary**

**State Effect:** None.

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

**Small Business Effect:** None.

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**Analysis**

**Current Law:** The statute that the bill seeks to amend simply states that the court may award alimony to either party. A court may award alimony on a bill of complaint for alimony or as a part of a decree that grants an annulment, a limited divorce, or an absolute divorce.

**Background:** Under current law, a financially dependent spouse might be precluded from obtaining alimony in an action for divorce filed by the financially dominant spouse if the financially dominant spouse had grounds for divorce but the dependent spouse did not.

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### **Additional Information**

**Prior Introductions:** Similar bills were introduced during the 2000 session (HB 87) and the 1999 session (HB 247). Both received an unfavorable report from the Judiciary Committee.

**Cross File:** None.

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

**Fiscal Note History:** First Reader – January 31, 2001  
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Analysis by: Claire Rooney

Direct Inquiries to:  
John Rixey, Coordinating Analyst  
(410) 946-5510  
(301) 970-5510