HOUSE BILL 1441

D4   2lr3319

By: **Delegates Stocksdale and Ready**
Introduced and read first time: March 2, 2012
Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1   AN ACT concerning

2   **Family Law – Termination of Alimony – Cohabitation of Recipient**

3   FOR the purpose of establishing that alimony terminates on the cohabitation of an
4   alimony recipient and a certain other individual under certain circumstances;
5   establishing that cohabitation is presumed under certain circumstances;
6   requiring that, on the marriage or cohabitation of the recipient, the recipient
7   notify the party who is required to pay alimony; and generally relating to the
8   termination of alimony.

9   BY repealing and reenacting, with amendments,
10   Article – Family Law
11   Section 11–108
12   Annotated Code of Maryland
13   (2006 Replacement Volume and 2011 Supplement)

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

Article – Family Law

17 11–108.

18   **(A)**   Unless the parties agree otherwise, alimony terminates:

19   (1)   on the death of either party;

20   (2)   on the marriage of the recipient; **[**or**]**

EXPLANATION: **CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**
          [Brackets**]** indicate matter deleted from existing law.

1   **(3)**   **ON THE COHABITATION OF THE RECIPIENT FOR A PERIOD OF**
2 **AT LEAST 90 DAYS WITH AN INDIVIDUAL WHO IS NOT A MEMBER OF THE**
3 **RECIPIENT'S FAMILY; OR**

4   **[**(3)**] (4)**   if the court finds that termination is necessary to avoid a
5 harsh and inequitable result.

6   **(B)**   **IN THIS SECTION, COHABITATION SHALL BE PRESUMED IF:**

7   **(1)**   **THE RECIPIENT RESIDED WITH THE OTHER INDIVIDUAL FOR**
8 **THE PERIOD SPECIFIED IN SUBSECTION (A)(3) OF THIS SECTION;**

9   **(2)**   **THE RECIPIENT AND THE OTHER INDIVIDUAL ENGAGED IN A**
10 **RELATIONSHIP; AND**

11   **(3)**   **THE RECIPIENT PROVIDED ANY ECONOMIC BENEFIT TO OR**
12 **RECEIVED ANY ECONOMIC BENEFIT FROM THE OTHER INDIVIDUAL AS A RESULT**
13 **OF THE RELATIONSHIP.**

14   **(C)**   **ON THE MARRIAGE OR COHABITATION OF THE RECIPIENT, THE**
15 **RECIPIENT IMMEDIATELY SHALL NOTIFY THE PARTY WHO IS REQUIRED TO PAY**
16 **ALIMONY.**

17   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 October 1, 2012.