SENATE BILL 709

D4 2lr1822

By: Senator Zirkin

Introduced and read first time: February 3, 2012

Assigned to: Judicial Proceedings

A BILL ENTITLED

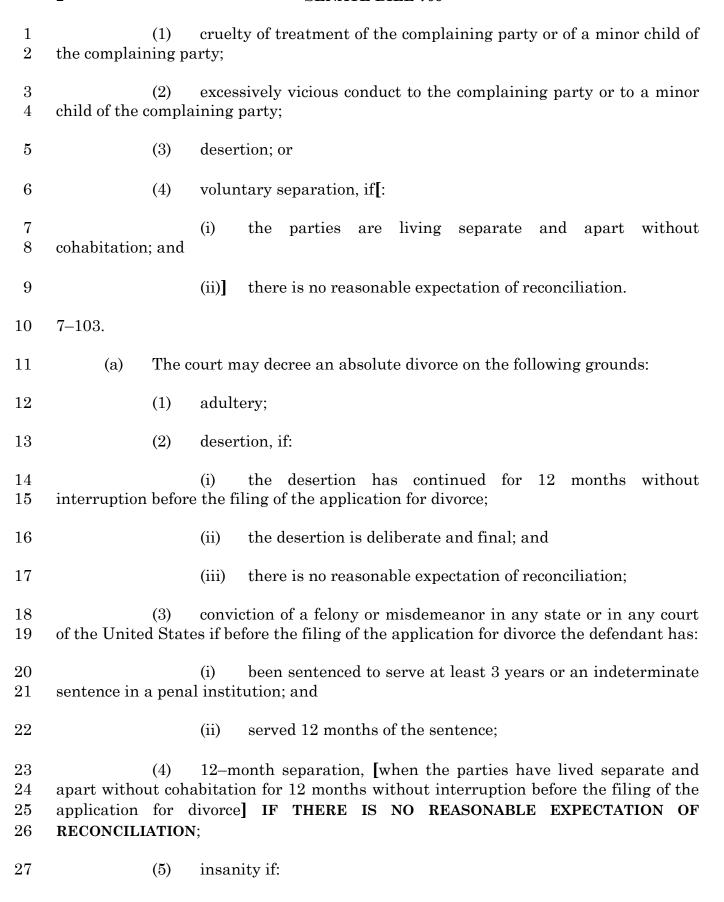
1 AN ACT concerning

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Family Law – Grounds for Divorce

3 FOR the purpose of altering a certain ground for limited divorce by authorizing a court 4 to grant a limited divorce on the ground of a voluntary separation if there is no 5 reasonable expectation of reconciliation; repealing as a prerequisite to the 6 granting of a limited divorce on the ground of a voluntary separation the 7 requirement that the parties are living separate and apart without 8 cohabitation; altering a certain ground for absolute divorce by authorizing a 9 court to grant an absolute divorce on the ground of a 12-month separation if there is no reasonable expectation of reconciliation; repealing as a prerequisite 10 to the granting of an absolute divorce on the ground of a 12-month separation 11 12the requirement that the parties have lived separate and apart without cohabitation for a certain period of time; and generally relating to grounds for 13 14 divorce.

- 15 BY repealing and reenacting, with amendments.
- 16 Article – Family Law
- 17 Section 7-102(a) and 7-103(a)
- Annotated Code of Maryland 18
- (2006 Replacement Volume and 2011 Supplement) 19
- 20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF 21MARYLAND, That the Laws of Maryland read as follows:
- Article Family Law 22
- 23 7-102.
- 24The court may decree a limited divorce on the following grounds: (a)



1 2 3	(i) the insane spouse has been confined in a mental institution, hospital, or other similar institution for at least 3 years before the filing of the application for divorce;
4 5 6	(ii) the court determines from the testimony of at least 2 physicians who are competent in psychiatry that the insanity is incurable and there is no hope of recovery; and
7 8	(iii) 1 of the parties has been a resident of this State for at least 2 years before the filing of the application for divorce;
9 10	(6) cruelty of treatment toward the complaining party or a minor child of the complaining party, if there is no reasonable expectation of reconciliation; or
11 12 13	(7) excessively vicious conduct toward the complaining party or a minor child of the complaining party, if there is no reasonable expectation of reconciliation.
14 15	SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2012.