

## Chapter 379

**(Senate Bill 359)**

AN ACT concerning

**Family Law – Divorce – Corroboration of Testimony ~~and Filing Procedures~~**

FOR the purpose of repealing ~~the prohibition on~~ a provision prohibiting a court *from* entering a decree of divorce on the uncorroborated testimony of the party seeking the divorce; ~~requiring authorizing parties to jointly file a certain complaint in order to initiate proceedings for an absolute divorce on the grounds of mutual consent; requiring the Court of Appeals to establish a certain joint complaint form and procedures for filing certain joint complaints~~ repealing a provision specifying that, in a suit for absolute divorce on the grounds of voluntary separation, a separation agreement is full corroboration of the plaintiff's testimony that the separation was voluntary under certain circumstances; and generally relating to divorce.

BY repealing and reenacting, with amendments,  
 Article – Family Law  
 Section 7-101 ~~and 7-103(f)~~  
 Annotated Code of Maryland  
 (2012 Replacement Volume and 2015 Supplement)

~~BY repealing and reenacting, without amendments,  
 Article – Family Law  
 Section 7-103(a)(8)  
 Annotated Code of Maryland  
 (2012 Replacement Volume and 2015 Supplement)~~

~~BY adding to  
 Article – Family Law  
 Section 7-103(f)  
 Annotated Code of Maryland  
 (2012 Replacement Volume and 2015 Supplement)~~

BY repealing  
Article – Family Law  
Section 8-104  
Annotated Code of Maryland  
(2012 Replacement Volume and 2015 Supplement)

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

**Article – Family Law**

7-101.

[(a)] If the grounds for the divorce occurred outside of this State, a party may not apply for a divorce unless one of the parties has resided in this State for at least 6 months before the application is filed.

[(b)] A court may not enter a decree of divorce on the uncorroborated testimony of the party who is seeking the divorce.]

~~7-103.~~

~~(a) The court may decree an absolute divorce on the following grounds:~~

~~(8) mutual consent, if:~~

~~(i) the parties do not have any minor children in common;~~

~~(ii) the parties execute and submit to the court a written settlement agreement signed by both parties that resolves all issues relating to:~~

~~1. alimony; and~~

~~2. the distribution of property, including the relief provided in §§ 8-205 and 8-208 of this article;~~

~~(iii) neither party files a pleading to set aside the settlement agreement prior to the divorce hearing required under the Maryland Rules; and~~

~~(iv) both parties appear before the court at the absolute divorce hearing.~~

~~(F) (1) TO INITIATE PROCEEDINGS FOR AN ABSOLUTE DIVORCE ON THE GROUNDS OF MUTUAL CONSENT, THE PARTIES SHALL MAY JOINTLY FILE A COMPLAINT FOR ABSOLUTE DIVORCE.~~

~~(2) THE COURT OF APPEALS SHALL, BY RULE, ESTABLISH A JOINT COMPLAINT FORM AND PROCEDURES FOR FILING JOINT COMPLAINTS UNDER THIS SUBSECTION.~~

~~[(f)] (G) If a court decrees an absolute divorce on the grounds of mutual consent under subsection (a)(8) of this section, the court may:~~

~~(1) merge or incorporate the settlement agreement into the divorce decree; and~~

~~(2) modify or enforce the settlement agreement consistent with Title 8, Subtitle 1 of this article.~~

~~[8-104.~~

~~*In a suit for absolute divorce on the grounds of voluntary separation, a separation agreement is full corroboration of the plaintiff's testimony that the separation was voluntary if the agreement:*~~

~~(1) *states that the spouses voluntarily agreed to separate; and*~~

~~(2) *is executed under oath before the application for divorce is filed.*~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2016.

**Approved by the Governor, May 10, 2016.**