

HB0274/678177/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 274
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Testimony” insert “and Filing Procedures”; in line 4, after the semicolon, insert “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.”; in line 11, after “7-101” insert “and 7-103(f)”; and after line 13, insert:

“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)”.

AMENDMENT NO. 2

On page 2, after line 6, insert:

“7–103.

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

(8) mutual consent, if:

(Over)

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(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 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

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