

SENATE BILL 499

D4

7lr2335

By: **Senators Norman and Lee**

Introduced and read first time: February 1, 2017

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Family Law – Divorce on Grounds of Mutual Consent – Court Appearance**

3 FOR the purpose of repealing the requirement that both parties appear before the court at
4 an absolute divorce hearing, in order for the court to decree an absolute divorce on
5 the grounds of mutual consent; and generally relating to divorce on the grounds of
6 mutual consent.

7 BY repealing and reenacting, with amendments,
8 Article – Family Law
9 Section 7–103(a)(8)
10 Annotated Code of Maryland
11 (2012 Replacement Volume and 2016 Supplement)

12 BY repealing and reenacting, without amendments,
13 Article – Family Law
14 Section 7–103(f)
15 Annotated Code of Maryland
16 (2012 Replacement Volume and 2016 Supplement)

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

Article – Family Law

20 7–103.

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

22 (8) mutual consent, if:

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 1. alimony; and

4 2. the distribution of property, including the relief provided
5 in §§ 8–205 and 8–208 of this article; **AND**

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

8 (iv) both parties appear before the court at the absolute divorce
9 hearing].

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

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

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

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 October 1, 2017.