

# SENATE BILL 499

D4

7lr2335

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By: **Senators Norman and Lee**

Introduced and read first time: February 1, 2017

Assigned to: Judicial Proceedings

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Committee Report: Favorable

Senate action: Adopted

Read second time: February 21, 2017

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## CHAPTER \_\_\_\_\_

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:

19 **Article – Family Law**

20 7–103.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

2 (8) mutual consent, if:

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

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

6 1. alimony; and

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

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

11 (iv) both parties appear before the court at the absolute divorce  
12 hearing].

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

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

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

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

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.