

# HOUSE BILL 947

D4

2lr2728

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By: **Delegate Shoemaker**

Introduced and read first time: February 10, 2022

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Family Law – Joint Custody**

3 FOR the purpose of establishing a rebuttable presumption in certain child custody  
4 proceedings that certain custodial arrangements are in the best interest of the child;  
5 providing for the payment of certain costs if a certain custodial arrangement is  
6 awarded; and generally relating to child custody determinations.

7 BY adding to

8 Article – Family Law

9 Section 9–109

10 Annotated Code of Maryland

11 (2019 Replacement Volume and 2021 Supplement)

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

14 **Article – Family Law**

15 **9–109.**

16 **(A) IN AN INITIAL CHILD CUSTODY PROCEEDING, WHETHER PENDENTE LITE**  
17 **OR PERMANENT, INVOLVING THE PARENTS OF A CHILD IN WHICH THERE IS NO**  
18 **ALLEGATION OF ABUSE, THERE IS A REBUTTABLE PRESUMPTION THAT:**

19 **(1) JOINT LEGAL CUSTODY IS IN THE BEST INTEREST OF THE CHILD;**  
20 **AND**

21 **(2) JOINT PHYSICAL CUSTODY FOR APPROXIMATELY EQUAL PERIODS**  
22 **OF TIME IS IN THE BEST INTEREST OF THE CHILD.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           **(B) NOTWITHSTANDING § 12-202 OF THIS ARTICLE OR ANY OTHER**  
2 **PROVISION OF LAW, IF JOINT LEGAL AND PHYSICAL CUSTODY IS AWARDED:**

3           **(1) THE PARTIES SHALL SHARE EQUALLY THE COSTS OF THE CHILD'S**  
4 **SCHOOL CLOTHES, SUPPLIES, EXTRACURRICULAR ACTIVITIES, AND UNCOVERED**  
5 **MEDICAL EXPENSES; AND**

6           **(2) EACH PARTY GENERALLY SHALL PAY FOR THE COSTS OF**  
7 **SUPPORTING THE CHILD WHEN IN THAT PARTY'S CARE.**

8           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
9 October 1, 2022.