

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section 24 of Article 16 of the Annotated Code of Maryland (1966 Replacement Volume and 1972 Interim Supplement), title "Chancery," subtitle "Divorce and Annulment," be and it is hereby repealed and re-enacted, with amendments, [[and that new Section 24A be and it is hereby added to said article, title, and subtitle, to follow immediately after Section 24 thereof, and all]] to read as follows:

24.

Upon a hearing of any bill for a divorce, the court may decree a divorce a vinculo matrimonii for the following causes, to wit: First, the impotence of either party at the time of the marriage; secondly, for any cause which by the laws of this State, render a marriage null and void ab initio; thirdly, for adultery; fourthly, when the court shall be satisfied by competent testimony that the party complained against has abandoned the party complaining, and that such abandonment has continued uninterruptedly for at least [[eighteen]] TWELVE months, and is deliberate and final, and the separation of the parties beyond any reasonable expectation of reconciliation; fifthly, when the husband and wife shall have voluntarily lived separate and apart, without any cohabitation, for [eighteen] TWELVE consecutive months prior to the filing of the bill of complaint, and such separation is beyond any reasonable expectation of reconciliation; sixthly, when the party complained against has been convicted of a felony or misdemeanor under the laws of this State or of any other state in the United States, or the United States and has been sentenced to serve at least three years or an indeterminate sentence in any penitentiary or penal institution eighteen months of which sentence has been served; seventhly, on the application of either party when the husband and wife have lived separate and apart without any cohabitation and without interruption for [five] [[TWO]] [[FOUR]] THREE years. A plea of res adjudicata or of recrimination with respect to any other provisions of this section shall not be a bar to either party obtaining a divorce [of] ON this seventh ground. [When a divorce is granted on this seventh ground, the court, in the absence of a bona fide property division agreement between the parties, which it may exercise on the application of either party, may divide and distribute between the parties, all their property, real, personal or mixed, over which the court has jurisdiction. The amount and proportion of the property to be divided and distributed shall be in the sound discretion of the court as just and equitable considering all the circumstances of the case.]

[[24A.

WHEN A DIVORCE IS GRANTED ON THIS SEVENTH GROUND, THE COURT, IN THE ABSENCE OF A BONA FIDE PROPERTY DIVISION AGREEMENT BETWEEN THE PARTIES, WHICH IT MAY EXERCISE ON THE APPLICATION OF EITHER PARTY, MAY DIVIDE AND DISTRIBUTE BETWEEN THE PARTIES, ALL THEIR PROPERTY, REAL, PERSONAL OR MIXED, OVER WHICH THE COURT HAS JURISDICTION. THE AMOUNT AND PROPORTION OF THE PROPERTY TO BE DIVIDED AND DISTRIBUTED SHALL BE IN THE SOUND DISCRETION OF THE COURT AS JUST AND EQUITABLE CONSIDERING ALL THE CIRCUMSTANCES OF THE CASE.

SECTION 2. AND BE IT FURTHER ENACTED, That Section 24A of this Act applies to cases instituted under the seventh ground for divorce after the effective date of this Act.]]