

## CHAPTER 221

(Senate Bill 874)

AN ACT concerning

Divorce, Alimony, Annulment -  
Court of Equity Powers

FOR the purpose of providing that a court sitting in an action for divorce, alimony, or annulment shall exercise ordinary equity jurisdiction have certain powers; clarifying provisions of the Code; making certain changes to the language and style of the Code; and declaring this Act to be an emergency measure.

BY repealing and reenacting, with amendments,

Article - Courts and Judicial Proceedings  
Section 3-603(a)  
Annotated Code of Maryland  
(1974 Volume and 1976 Supplement)

BY renumbering

Article - Courts and Judicial Proceedings  
Section 3-603(b)  
to be Section 3-603(c)  
Annotated Code of Maryland  
(1974 Volume and 1976 Supplement)

BY adding to

Article - Courts and Judicial Proceedings  
Section 3-603(b)  
Annotated Code of Maryland  
(1974 Volume and 1976 Supplement)

## Preamble

WHEREAS, It has been universally believed by the bar and bench that courts sitting in actions of divorce, alimony, or annulment have ordinary equity powers.

However, in the case of Kapneck vs. Kapneck, 31 Md. App. 410 (1976) the Court of Special Appeals, citing prior decisions of the Court of Appeals, stated, "In divorce proceedings the court sits, not in the exercise of its ordinary equity jurisdiction, but as a divorce court and is governed by the rules and principles established in the ecclesiastical courts in England so