

FOR the purpose of providing for the extension of the time within which the court in certain divorce and annulment proceedings shall make certain determinations as to marital property; providing for the applicability of this Act to certain proceedings; and making this Act an emergency measure.

BY repealing and reenacting, with amendments,

Article - Courts and Judicial Proceedings
Section 3-6A-05(a)
Annotated Code of Maryland
(1980 Replacement Volume and 1981 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section(s) of the Annotated Code of Maryland read(s) as follows:

Article - Courts and Judicial Proceedings

3-6A-05.

(a) (1) In granting an absolute divorce or annulment, or at any time within 90 days thereafter, if in its decree granting the divorce or annulment the court has expressly reserved the power to do so, the court shall determine which property is marital property if the division of property is an issue. IF THE COURT HAS RESERVED THE POWER TO MAKE THE DETERMINATION, THE COURT MAY WITHIN THE TIME RESERVED FURTHER EXTEND THE TIME FOR MAKING THE DETERMINATION WITH THE CONSENT OF THE PARTIES.

(2) Family use personal property or the family home shall not be considered marital property so long as it is the subject of a use and possession order.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to all divorce and annulment proceedings pending before the court in which a determination under this Act has not been made as of January--17--1982- the date of the enactment of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act is hereby declared to be an emergency measure and necessary for the immediate preservation of the public health and safety and having been passed by a yea and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, the same shall take effect from the date of its passage.

Approved May 20, 1982.