

BY repealing and reenacting, without amendments,  
 Article – Family Law  
 Section 9–101 and 9–101.1  
 Annotated Code of Maryland  
 (2004 Replacement Volume and 2005 Supplement)

BY adding to  
 Article – Family Law  
 Section 9–101.2  
 Annotated Code of Maryland  
 (2004 Replacement Volume and 2005 Supplement)

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

**Article – Family Law**

9–101.

(a) In any custody or visitation proceeding, if the court has reasonable grounds to believe that a child has been abused or neglected by a party to the proceeding, the court shall determine whether abuse or neglect is likely to occur if custody or visitation rights are granted to the party.

(b) Unless the court specifically finds that there is no likelihood of further child abuse or neglect by the party, the court shall deny custody or visitation rights to that party, except that the court may approve a supervised visitation arrangement that assures the safety and the physiological, psychological, and emotional well-being of the child.

9–101.1.

(a) In this section, “abuse” has the meaning stated in § 4–501 of this article.

(b) In a custody or visitation proceeding, the court shall consider, when deciding custody or visitation issues, evidence of abuse by a party against:

- (1) the other parent of the party’s child;
- (2) the party’s spouse; or

(3) any child residing within the party’s household, including a child other than the child who is the subject of the custody or visitation proceeding.

(c) If the court finds that a party has committed abuse against the other parent of the party’s child, the party’s spouse, or any child residing within the party’s household, the court shall make arrangements for custody or visitation that best protect:

- (1) the child who is the subject of the proceeding; and
- (2) the victim of the abuse.