

(1) DUE TO AGE, ILLNESS, INFIRMITY, OR DISABILITY, THE PARTY SEEKING ALIMONY CANNOT REASONABLY BE EXPECTED TO MAKE SUBSTANTIAL PROGRESS TOWARD BECOMING SELF-SUPPORTING; OR

(2) EVEN AFTER THE PARTY SEEKING ALIMONY WILL HAVE MADE AS MUCH PROGRESS TOWARD BECOMING SELF-SUPPORTING AS CAN REASONABLY BE EXPECTED, THE RESPECTIVE STANDARDS OF LIVING OF THE PARTIES WILL BE UNCONSCIONABLY DISPARATE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 16, § 1(b) and (c), except the second clause of the first sentence of that subsection.

In the introductory language of subsection (b) of this section, "all the factors necessary for a fair and equitable award" is substituted for the former language "all relevant factors", for clarity.

In subsection (b)(6) of this section, the former word "facts" and the former phrase "and the dissolution of the marriage" are deleted to conform to § 8-205(a)(4) of this article.

The Commission to Revise the Annotated Code calls the attention of the General Assembly to subsection (b)(10) of this section, which provides that the court is to consider "any agreement between the parties" in making a determination as to the amount of and period for alimony. If this provision is directed to the case where the court may modify an agreement under § 8-103 of this article, the General Assembly may wish to say so expressly, especially in light of the unclear grant of authority to the court under § 11-101 of this title. See the revisor's note to § 11-101 of this title.

Defined term: "Including" § 1-101

11-107. EXTENSION OF PERIOD; MODIFICATION OF AMOUNT.

(A) EXTENSION OF PERIOD.

SUBJECT TO § 8-103 OF THIS ARTICLE, THE COURT MAY EXTEND THE PERIOD FOR WHICH ALIMONY IS AWARDED, IF:

(1) CIRCUMSTANCES ARISE DURING THE PERIOD THAT WOULD LEAD TO A HARSH AND INEQUITABLE RESULT WITHOUT AN EXTENSION; AND

(2) THE RECIPIENT PETITIONS FOR AN EXTENSION DURING THE PERIOD.

(B) MODIFICATION OF AMOUNT.