

**CHAPTER 514**

**(House Bill 381)**

AN ACT concerning

**Alimony and Child Support – Mandatory Award of Expenses**

FOR the purpose of requiring, rather than permitting, a court to award certain expenses, including costs and counsel fees, in a proceeding to recover arrearages of child support or to enforce an award of alimony under certain circumstances; and generally relating to the award of expenses in certain proceedings.

BY repealing and reenacting, with amendments,

Article – Family Law

Section 11-110 and 12-103

Annotated Code of Maryland

(1991 Replacement Volume and 1992 Supplement)

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

**Article – Family Law**

11-110.

(a) (1) In this section the following words have the meanings indicated.

(2) "Proceeding" includes a proceeding for:

- (i) alimony;
- (ii) alimony pendente lite;
- (iii) modification of an award of alimony; and
- (iv) enforcement of an award of alimony.

(3) "Reasonable and necessary expense" includes:

- (i) suit money;
- (ii) counsel fees; and
- (iii) costs.

(b) ~~{At} EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, AT~~ any point in a proceeding under this title, the court may order either party to pay to the other party an amount for the reasonable and necessary expense of prosecuting or defending the proceeding.

(c) ~~{Before} EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, BEFORE~~ ordering the payment, the court shall consider: