

CHAPTER 232

(House Bill 150)

AN ACT concerning

**Child Custody and Visitation – Notification Prior to Relocation of Child**

FOR the purpose of permitting a court to include as a condition of a custody or visitation order a requirement that ~~the custodial~~ either party give certain advance written notice to the court and the other party of the intent to relocate the permanent residence of the party or the child; ~~authorizing~~ requiring the court to waive notice under certain circumstances; requiring notice within a certain time frame; authorizing the court to prescribe certain requirements for notice; ~~requiring~~ providing for a certain defense; allowing a court to consider certain violations of the notice requirement as a factor in certain proceedings; and generally relating to requiring notification prior to relocation of a party or a child subject to a custody or visitation order.

BY adding to

Article – Family Law

Section 9-106

Annotated Code of Maryland

(1991 Replacement Volume and 1994 Supplement)

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

**Article – Family Law**

9-106.

(A) (1) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, IN ANY CUSTODY OR VISITATION PROCEEDING THE COURT MAY INCLUDE AS A CONDITION OF A CUSTODY OR VISITATION ORDER A REQUIREMENT THAT ~~THE CUSTODIAL~~ EITHER PARTY PROVIDE ADVANCE WRITTEN NOTICE OF AT LEAST 45 DAYS TO THE COURT, THE OTHER PARTY, OR BOTH, OF THE INTENT TO RELOCATE THE PERMANENT RESIDENCE OF THE PARTY OR THE CHILD EITHER WITHIN OR OUTSIDE THE STATE.

(2) THE COURT MAY PRESCRIBE THE FORM AND CONTENT OF THE NOTICE REQUIREMENT.

(3) IF THE COURT ORDERS THAT NOTICE BE GIVEN TO THE OTHER PARTY, A MAILING OF THE NOTICE BY ~~REGISTERED OR~~ CERTIFIED MAIL, RETURN RECEIPT REQUESTED, TO THE LAST KNOWN ADDRESS OF THE OTHER PARTY SHALL BE DEEMED SUFFICIENT TO COMPLY WITH THE NOTICE REQUIREMENT.