

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1995.

Approved April 11, 1995.

CHAPTER 12

(House Bill 152)

AN ACT concerning

Child Custody and Visitation – Abuse

FOR the purpose of requiring, rather than authorizing, a court to consider certain evidence of abuse ~~as a factor bearing on the welfare and best interests of the child in a custody or visitation proceeding~~ when deciding custody or visitation issues; requiring the court to make certain arrangements for custody or visitation if the court finds that a party has committed abuse against certain individuals; ~~establishing a rebuttable presumption that joint custody is not in the best interests of the child if the court finds that a party has committed abuse against certain individuals;~~ ~~defining certain terms;~~ and generally relating to child custody and visitation.

BY repealing and reenacting, with amendments,

Article – Family Law

Section 9-101.1

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

9-101.1.

(a) (1) In this section ~~[,] THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED:~~

(2) ~~["abuse"]~~ **"ABUSE"** has the meaning stated in § 4-501 of this article.

(3) **"JOINT CUSTODY" MEANS:**

(i) ~~JOINT LEGAL CUSTODY;~~

(ii) ~~JOINT PHYSICAL CUSTODY; OR~~

(iii) ~~JOINT LEGAL AND PHYSICAL CUSTODY.~~