

Senate Bill No. 249

AN ACT concerning

Family Law - Grounds for Absolute Divorce

FOR the purpose of adding cruelty of treatment toward a *minor* child of the complaining party and excessively vicious conduct toward a *minor* child of the complaining party as grounds for an absolute divorce; providing that recrimination is not a bar to obtaining a divorce on any of the specified absolute divorce grounds; and generally relating to grounds for an absolute divorce.

BY repealing and reenacting, with amendments,

Article - Family Law

Section 7-103

Annotated Code of Maryland

(1999 Replacement Volume and 2002 Supplement)

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

Article - Family Law

7-103.

(a) The court may decree an absolute divorce on the following grounds:

(1) adultery;

(2) desertion, if:

(i) the desertion has continued for 12 months without interruption before the filing of the application for divorce;

(ii) the desertion is deliberate and final; and

(iii) there is no reasonable expectation of reconciliation;

(3) voluntary separation, if:

(i) the parties voluntarily have lived separate and apart without cohabitation for 12 months without interruption before the filing of the application for divorce; and

(ii) there is no reasonable expectation of reconciliation;

(4) conviction of a felony or misdemeanor in any state or in any court of the United States if before the filing of the application for divorce the defendant has:

(i) been sentenced to serve at least 3 years or an indeterminate sentence in a penal institution; and

(ii) served 12 months of the sentence;