

BY adding to

Article - Family Law

Section 9-101.1

Annotated Code of Maryland

(1984 Volume and 1990 Supplement)

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

Article - Family Law

4-501.

(b) (1) "Abuse" means any of the following acts committed by a household member against another household member:

(i) an act that causes serious bodily harm;

(ii) an act that places another in fear of imminent serious bodily harm;

or

(iii) abuse of a child, as defined in Title 5, Subtitle 7 of this article.

(2) Nothing in this subtitle shall be construed to prohibit reasonable corporal punishment, in light of the age and condition of the child, from being performed by a parent or stepparent of the child.

9-101.1.

(A) IN THIS SECTION, "ABUSE" HAS THE MEANING STATED IN § 4-501 OF THIS ARTICLE.

~~(B) (1) IN A CUSTODY OR VISITATION PROCEEDING, THE COURT SHALL, SUBJECT TO THE RULES OF EVIDENCE, CONSIDER EVIDENCE OF ABUSE BY A PARTY AGAINST THE OTHER PARENT OF THE PARTY'S CHILD, THE PARTY'S SPOUSE, OR ANY CHILD RESIDING WITHIN THE PARTY'S HOUSEHOLD, INCLUDING A CHILD OTHER THAN THE CHILD WHO IS THE SUBJECT OF THE CUSTODY OR VISITATION PROCEEDING, AS EVIDENCE OF A SITUATION WHICH IS DETRIMENTAL TO THE WELFARE OF THE CHILD.~~

~~(2) IF A COURT FINDS THAT A PARTY HAS COMMITTED ABUSE AGAINST THE OTHER PARENT OF THE PARTY'S CHILD, THE PARTY'S SPOUSE, OR ANY CHILD RESIDING WITHIN THE PARTY'S HOUSEHOLD, THE COURT SHALL MAKE ARRANGEMENTS FOR CUSTODY OR VISITATION THAT BEST PROTECT THE CHILD WHO IS THE SUBJECT OF THE CUSTODY OR VISITATION PROCEEDING AND THE VICTIM OF THE ABUSE.~~

(B) IN A CUSTODY OR VISITATION PROCEEDING, THE COURT MAY CONSIDER, AS A FACTOR BEARING ON THE WELFARE AND BEST INTERESTS OF THE CHILD, EVIDENCE OF ABUSE BY A PARTY AGAINST: