

SENATE BILL 718

D4

2lr2059

By: **Senator Simonaire**

Introduced and read first time: February 7, 2022

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Family Law – Alimony – Modification**

3 FOR the purpose of altering the circumstances under which a court is authorized to modify
4 the amount of alimony awarded; and generally relating to alimony.

5 BY repealing and reenacting, without amendments,
6 Article – Family Law
7 Section 8–103(c)
8 Annotated Code of Maryland
9 (2019 Replacement Volume and 2021 Supplement)

10 BY repealing and reenacting, with amendments,
11 Article – Family Law
12 Section 11–107(b)
13 Annotated Code of Maryland
14 (2019 Replacement Volume and 2021 Supplement)

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

17 **Article – Family Law**

18 8–103.

19 (c) The court may modify any provision of a deed, agreement, or settlement with
20 respect to alimony or spousal support executed on or after April 13, 1976, regardless of how
21 the provision is stated, unless there is:

22 (1) an express waiver of alimony or spousal support; or

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(2) a provision that specifically states that the provisions with respect to alimony or spousal support are not subject to any court modification.

11–107.

(b) (1) Subject to § 8–103 of this article and on the petition of either party, the court may modify the amount of alimony awarded:

(I) IF THE RECIPIENT IS MAINTAINING A COMMON HOUSEHOLD BY SHARING A PRIMARY RESIDENCE TOGETHER WITH ANOTHER INDIVIDUAL; OR

(II) as circumstances and justice require.

(2) FOR PURPOSES OF DETERMINING WHETHER A RECIPIENT IS MAINTAINING A COMMON HOUSEHOLD UNDER PARAGRAPH (1)(I) OF THIS SUBSECTION, THE COURT MAY CONSIDER:

(I) ANY ORAL OR WRITTEN STATEMENTS OR REPRESENTATIONS MADE TO THIRD PARTIES REGARDING THE RELATIONSHIP OF THE INDIVIDUALS;

(II) THE ECONOMIC INTERDEPENDENCE OF THE INDIVIDUALS TOGETHER OR THE ECONOMIC DEPENDENCE OF ONE INDIVIDUAL ON THE OTHER;

(III) THE CONDUCT AND COLLABORATIVE ROLES OF THE INDIVIDUALS IN FURTHERANCE OF THEIR LIFE TOGETHER;

(IV) THE BENEFITS FOR EITHER INDIVIDUAL FROM THE RELATIONSHIP;

(V) THE COMMUNITY REPRESENTATION OF THE INDIVIDUALS AS A COUPLE; OR

(VI) ANY OTHER FACTORS THAT THE COURT CONSIDERS RELEVANT.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2022.