

HOUSE BILL 1132

D4
HB 925/10 – JUD

1lr1271

By: **Delegates Carter, Alston, Cluster, Conaway, Dwyer, Hough, Howard, K. Kelly, Kramer, McComas, McDermott, Niemann, Oaks, Simmons, Smigiel, Summers, Washington, and Wilson**

Introduced and read first time: February 11, 2011

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Family Law – Children’s Civil Rights – Equal Parenting Time**

3 FOR the purpose of creating a rebuttable presumption that certain custodial
4 arrangements are in the best interest of the child in certain child custody
5 proceedings; and generally relating to child custody determinations.

6 BY adding to

7 Article – Family Law

8 Section 9–109

9 Annotated Code of Maryland

10 (2006 Replacement Volume and 2010 Supplement)

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

13 **Article – Family Law**

14 **9–109.**

15 **IN AN INITIAL CHILD CUSTODY PROCEEDING, WHETHER PENDENTE LITE**
16 **OR PERMANENT, INVOLVING THE PARENTS OF A CHILD, THERE IS A**
17 **REBUTTABLE PRESUMPTION THAT:**

18 **(1) JOINT LEGAL CUSTODY IS IN THE BEST INTEREST OF THE**
19 **CHILD; AND**

20 **(2) PHYSICAL CUSTODY TO EACH PARENT FOR APPROXIMATELY**
21 **EQUAL PERIODS OF TIME IS IN THE BEST INTEREST OF THE CHILD.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2011.