

The defined term is changed from "minor child" to "child" in light of the inclusion of children who are not minors.

In item (2) of this subsection, the term "infirmity" is substituted for the former term "disability" to conform to the language used throughout this article.

The only other changes are in style.

The Commission to Revise the Annotated Code notes, for consideration by the General Assembly, that it is unclear whether a son or daughter who becomes dependent on a parent due to a subsequent mental or physical infirmity after having become emancipated is a "child" for purposes of this subtitle.

The Commission to Revise the Annotated Code calls the attention of the General Assembly to the fact that the Court of Appeals held, in Bledsoe v. Bledsoe, 294 Md. 184 (1982), that the statute does not include stepchildren within its scope.

(C) FAMILY HOME.

(1) "FAMILY HOME" MEANS THE PROPERTY IN THIS STATE THAT:

(I) WAS USED AS THE PRINCIPAL RESIDENCE OF THE PARTIES WHEN THEY LIVED TOGETHER;

(II) IS OWNED OR LEASED BY 1 OR BOTH OF THE PARTIES AT THE TIME OF THE PROCEEDING; AND

(III) IS BEING USED OR WILL BE USED AS A PRINCIPAL RESIDENCE BY 1 OR BOTH OF THE PARTIES AND A CHILD.

(2) "FAMILY HOME" DOES NOT INCLUDE PROPERTY:

(I) ACQUIRED BEFORE THE MARRIAGE;

(II) ACQUIRED BY INHERITANCE OR GIFT FROM A THIRD PARTY; OR

(III) EXCLUDED BY VALID AGREEMENT.

REVISOR'S NOTE: This subsection formerly appeared as CJ § 3-6A-01(b).

In paragraph (1)(ii) and (iii) of this subsection, the phrase "1 or both" is substituted for the former phrase "at least one" to conform to the language used throughout this subtitle.

The only other changes are in style.