HOUSE BILL 454

D4

9lr2146
CF 9lr2147

By: **Delegate Dumais**
Introduced and read first time: February 4, 2009
Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Domestic Violence – Violation of Protective Order – Arrest**

3 FOR the purpose of clarifying that an officer is required to arrest with or without a
4   warrant and take into custody a person who the officer has probable cause to
5   believe has violated a certain provision of an interim, temporary, or final
6   protective order in effect at the time of the violation; making a clarifying
7   change; and generally relating to domestic violence.

8 BY repealing and reenacting, with amendments,
9   Article – Family Law
10   Section 4–509
11   Annotated Code of Maryland
12   (2006 Replacement Volume and 2008 Supplement)

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

15 **Article – Family Law**

16 4–509.

17   (a) A person who fails to comply with the relief granted in an interim
18 protective order under § 4–504.1(c)(1), (2), (3), (4)(i), (7), or (8) of this subtitle, a
19 temporary protective order under § 4–505(a)(2)(i), (ii), (iii), (iv), or (v) of this subtitle,
20 or a final protective order under § 4–506(d)(1), (2), (3), (4), (5), or (12) of this subtitle is
21 guilty of a misdemeanor and on conviction is subject, for each offense, to:

22   (1) for a first offense, a fine not exceeding $1,000 or imprisonment not
23 exceeding 90 days or both; and

EXPLANATION: **CAPITALS INDICATE MATTER ADDED TO EXISTING LAW**.
    [Brackets] indicate matter deleted from existing law.

1   (2)   for a second or subsequent offense, a fine not exceeding $2,500 or
2   imprisonment not exceeding 1 year or both.

3   (b)   An officer shall arrest with or without a warrant and take into custody a
4   person who the officer has probable cause to believe [is in violation of] **HAS VIOLATED**
5   **A PROVISION OF** an interim, temporary, or final protective order **SPECIFIED IN**
6   **SUBSECTION (A) OF THIS SECTION** in effect at the time of the violation.

7   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8   October 1, 2009.