

HOUSE BILL 1272

D4

7lr0787

By: **Prince George's County Delegation**

Introduced and read first time: February 10, 2017

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County – Domestic Violence – Definition of Abuse**

3 **PG 314–17**

4 FOR the purpose of altering, in Prince George's County, the definition of "abuse" to include
5 harassment and malicious destruction of property for purposes of certain provisions
6 of law relating to domestic violence; defining certain terms; and generally relating to
7 domestic violence in Prince George's County.

8 BY repealing and reenacting, without amendments,

9 Article – Family Law

10 Section 4–501(a)

11 Annotated Code of Maryland

12 (2012 Replacement Volume and 2016 Supplement)

13 BY repealing and reenacting, with amendments,

14 Article – Family Law

15 Section 4–501(b)(1)

16 Annotated Code of Maryland

17 (2012 Replacement Volume and 2016 Supplement)

18 BY adding to

19 Article – Family Law

20 Section 4–501.1

21 Annotated Code of Maryland

22 (2012 Replacement Volume and 2016 Supplement)

23 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

24 That the Laws of Maryland read as follows:

25 **Article – Family Law**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 4-501.

2 (a) In this subtitle the following words have the meanings indicated.

3 (b) (1) ["Abuse"] **EXCEPT AS PROVIDED IN § 4-501.1 OF THIS SUBTITLE,**
4 **"ABUSE"** means any of the following acts:

5 (i) an act that causes serious bodily harm;

6 (ii) an act that places a person eligible for relief in fear of imminent
7 serious bodily harm;

8 (iii) assault in any degree;

9 (iv) rape or sexual offense under §§ 3-303 through 3-308 of the
10 Criminal Law Article or attempted rape or sexual offense in any degree;

11 (v) false imprisonment; or

12 (vi) stalking under § 3-802 of the Criminal Law Article.

13 **4-501.1.**

14 **(A) THIS SECTION APPLIES ONLY IN PRINCE GEORGE'S COUNTY.**

15 **(B) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS**
16 **INDICATED.**

17 **(C) "ABUSE" MEANS ANY OF THE FOLLOWING ACTS:**

18 **(1) AN ACT THAT CAUSES SERIOUS BODILY HARM;**

19 **(2) AN ACT THAT PLACES A PERSON ELIGIBLE FOR RELIEF IN FEAR OF**
20 **IMMINENT SERIOUS BODILY HARM;**

21 **(3) ASSAULT IN ANY DEGREE;**

22 **(4) RAPE OR SEXUAL OFFENSE UNDER §§ 3-303 THROUGH**
23 **3-308 OF THE CRIMINAL LAW ARTICLE OR ATTEMPTED RAPE OR SEXUAL OFFENSE**
24 **IN ANY DEGREE;**

25 **(5) FALSE IMPRISONMENT;**

26 **(6) STALKING UNDER § 3-802 OF THE CRIMINAL LAW ARTICLE;**

1 **(7) HARASSMENT; OR**

2 **(8) MALICIOUS DESTRUCTION OF PROPERTY.**

3 **(D) “HARASSMENT” MEANS AN INTENTIONAL OR KNOWING COURSE OF**
4 **CONDUCT OR A SERIES OF ACTS, INCLUDING WRITTEN OR ELECTRONIC**
5 **COMMUNICATION OR TRANSMISSION, THAT CONTINUES AFTER A REASONABLE**
6 **WARNING OR REQUEST TO STOP BY OR ON BEHALF OF ANOTHER PERSON AND THAT:**

7 **(1) SERIOUSLY ALARMS, TORMENTS, TERRORIZES, OR DISTURBS THE**
8 **OTHER PERSON;**

9 **(2) HAS NO LEGAL PURPOSE; AND**

10 **(3) WOULD CAUSE A REASONABLE PERSON TO SUFFER MENTAL OR**
11 **EMOTIONAL DISTRESS.**

12 **(E) “MALICIOUS DESTRUCTION OF PROPERTY” MEANS AN ACT THAT**
13 **WILLFULLY DESTROYS, INJURES, OR DEFACES THE REAL OR PERSONAL PROPERTY**
14 **OF ANOTHER PERSON, INCLUDING A PERMANENT DRAWING, PAINTING, MARKING,**
15 **OR INSCRIPTION, EVEN IF THE PROPERTY IS HELD AS TENANTS BY THE ENTIRETY,**
16 **AND THAT:**

17 **(1) SERIOUSLY ALARMS, TORMENTS, TERRORIZES, OR DISTURBS THE**
18 **OTHER PERSON;**

19 **(2) HAS NO LEGAL PURPOSE; AND**

20 **(3) WOULD CAUSE A REASONABLE PERSON TO SUFFER MENTAL OR**
21 **EMOTIONAL DISTRESS.**

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 October 1, 2017.