

HB0296/873320/1

BY: Judiciary Committee

AMENDMENTS TO HOUSE BILL 296
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**Interim and**”; in lines 4 and 5, strike “or an urgent care center”; in lines 5 and 6, strike “an interim protective order or”; in line 6, strike “or urgent care center”; strike beginning with “requiring” in line 6 down through “circumstances” in line 9 and substitute “requiring certain hospitals to refer certain petitioners to certain programs; authorizing a petitioner to electronically file a petition for a temporary protective order from certain programs and centers”; and strike in their entirety lines 10 through 14, inclusive, and substitute:

“BY adding to

Article - Family Law

Section 4-505.1

Annotated Code of Maryland

(2019 Replacement Volume and 2021 Supplement)”.

AMENDMENT NO. 2

On page 1, after line 17, insert:

“4-505.1.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANING INDICATED.

(2) “CHILD ADVOCACY CENTER” MEANS A CENTER ESTABLISHED UNDER § 11-928 OF THE CRIMINAL PROCEDURE ARTICLE.

(Over)

(3) “FILE ELECTRONICALLY” MEANS TO SEND, COMMUNICATE, RECEIVE, OR STORE BY ELECTRONIC MEANS.

(4) “HOSPITAL” HAS THE MEANING STATED IN § 19-301 OF THE HEALTH – GENERAL ARTICLE.

(5) “VULNERABLE ADULT PROGRAM” MEANS:

(I) A PROGRAM IMPLEMENTED UNDER § 14-201 OF THIS ARTICLE; OR

(II) ANY PROGRAM THAT RECEIVES FEDERAL OR STATE FUNDING TO PREVENT ABUSE OF OR ASSIST VULNERABLE ADULTS.

(B) A PETITIONER MAY FILE ELECTRONICALLY A PETITION FOR A TEMPORARY PROTECTIVE ORDER WITH A COURT FROM:

(1) A DOMESTIC VIOLENCE PREVENTION OR ASSISTANCE PROGRAM;

(2) A SEXUAL ASSAULT PREVENTION OR ASSISTANCE PROGRAM;

(3) A HUMAN TRAFFICKING PREVENTION OR ASSISTANCE PROGRAM;

(4) A CHILD ADVOCACY CENTER;

(5) A VULNERABLE ADULT PROGRAM;

(6) A HOSPITAL WHERE THE PETITIONER IS RECEIVING MEDICAL TREATMENT, WHILE THE PETITIONER IS AT THE HOSPITAL; OR

(7) ANOTHER LOCATION APPROVED BY THE COURT.

(C) THE HOSPITAL SHALL REFER THE PETITIONER FILING A PETITION ON THE GROUNDS OF:

(1) DOMESTIC VIOLENCE:

(I) TO A HOSPITAL-BASED DOMESTIC VIOLENCE PREVENTION OR ASSISTANCE PROGRAM; OR

(II) IF THERE IS NOT A HOSPITAL-BASED DOMESTIC VIOLENCE PREVENTION OR ASSISTANCE PROGRAM, TO A COMMUNITY-BASED DOMESTIC VIOLENCE PREVENTION OR ASSISTANCE PROGRAM; AND

(2) SEXUAL ASSAULT TO A COMMUNITY-BASED SEXUAL ASSAULT PREVENTION OR ASSISTANCE PROGRAM.

(D) A COURT THAT RECEIVES A PETITION FILED ELECTRONICALLY IN ACCORDANCE WITH THIS SECTION SHALL HOLD A HEARING ON THE PETITION THROUGH THE USE OF VIDEO CONFERENCING ON:

(1) THE SAME BUSINESS DAY IF THE PETITION IS FILED DURING REGULAR COURT HOURS AND THE COURT IS OPEN; OR

(2) THE NEXT BUSINESS DAY THE COURT IS OPEN IF THE PETITION IS NOT FILED DURING REGULAR COURT HOURS.”.

(Over)

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On pages 1 through 6, strike in their entirety the lines beginning with line 18 on page 1 through line 24 on page 6, inclusive.

On page 6, in line 27, strike “interim protective order petitions and”.