

# SENATE BILL 20

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(PRE-FILED)

6lr1361  
CF HB 83

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By: Senator Hettleman

Requested: October 28, 2025

Introduced and read first time: January 14, 2026

Assigned to: Judicial Proceedings

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## A BILL ENTITLED

1 AN ACT concerning

### 2 **Family and Law Enforcement Protection Act**

3 FOR the purpose of altering and establishing provisions relating to the surrender of  
4 firearms by a respondent under the domestic violence statutes; and generally  
5 relating to protective orders.

6 BY repealing and reenacting, without amendments,

7 Article – Family Law

8 Section 4–504(a)

9 Annotated Code of Maryland

10 (2019 Replacement Volume and 2025 Supplement)

11 BY repealing and reenacting, with amendments,

12 Article – Family Law

13 Section 4–504(b), 4–504.1(f), 4–505(a), 4–506(f), 4–506.1, and 4–509(a)

14 Annotated Code of Maryland

15 (2019 Replacement Volume and 2025 Supplement)

16 BY adding to

17 Article – Family Law

18 Section 4–504(e)

19 Annotated Code of Maryland

20 (2019 Replacement Volume and 2025 Supplement)

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

22 That the Laws of Maryland read as follows:

### 23 **Article – Family Law**

24 4–504.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



4 (2) A petition may be filed under this subtitle if:

5 (i) the abuse is alleged to have occurred in the State; or

8 (b) (1) The petition shall:

9 (i) be under oath; and

(ii) include any information known to the petitioner of

2. each previous action between the parties in any court;

16 4. the whereabouts of the respondent, if known;

5. WHETHER THE RESPONDENT POSSESSES A VALID  
HUNTING LICENSE OR A PERMIT TO WEAR, CARRY, OR TRANSPORT  
THE RESPONDENT BY THE SECRETARY OF STATE POLICE;

**6. WHETHER THE RESPONDENT OWNS OR POSSESSES A**

22 [5.] 7. if financial relief is requested, information known to the  
23 petitioner regarding the financial resources of the respondent; and

24 [6.] 8.in a case of alleged child abuse or alleged abuse of a  
25 vulnerable adult, the whereabouts of the child or vulnerable adult and any other  
26 information relating to the abuse of the child or vulnerable adult.

1 is necessary to determine jurisdiction or consider any venue issue, it shall be made orally  
2 and in camera and may not be disclosed to the respondent.

3                   **(E) IF THE PETITION STATES THAT THE RESPONDENT POSSESSES A VALID**  
4 **HANDGUN QUALIFICATION LICENSE OR A PERMIT TO WEAR, CARRY, OR TRANSPORT**  
5 **A HANDGUN, OR THAT THE RESPONDENT OWNS OR POSSESSES A FIREARM, THE**  
6 **PETITIONER SHALL INCLUDE WITH THE PETITION THE FOLLOWING INFORMATION**  
7 **KNOWN TO THE PETITIONER:**

8                   **(1) THE LENGTH OF TIME THAT THE PETITIONER HAS KNOWN OR**  
9 **LIVED WITH THE RESPONDENT;**

10                   **(2) THE POTENTIAL LOCATION OF THE RESPONDENT'S FIREARM;**

11                   **(3) THE LAST TIME THE PETITIONER SAW THE RESPONDENT'S**  
12 **FIREARM;**

13                   **(4) THE MAKE AND MODEL OF THE RESPONDENT'S FIREARM;**

14                   **(5) HOW MANY AND WHAT TYPE OF FIREARMS THE RESPONDENT MAY**  
15 **HAVE ACCESS TO; AND**

16                   **(6) WHETHER THE RESPONDENT KEEPS THE FIREARM IN THE**  
17 **RESPONDENT'S CAR AND, IF SO:**

18                   **(I) THE MAKE AND MODEL OF THE CAR; AND**

19                   **(II) THE LICENSE PLATE NUMBER OF THE CAR.**

20 4-504.1.

21                   **(f) Whenever a commissioner issues an interim protective order, the**  
22 **commissioner shall:**

23                   **(1) immediately forward a copy of the petition and interim protective order**  
24 **to the appropriate law enforcement agency for service on the respondent; [and]**

25                   **(2) before the hearing scheduled in the interim protective order, transfer**  
26 **the case file and the return of service, if any, to the Office of the District Court Clerk; AND**

27                   **(3) PROVIDE THE PETITIONER WITH RESOURCES FOR SAFETY,**  
28 **PLANNING, AND OTHER SUPPORT, INCLUDING CONTACT INFORMATION FOR THE**  
29 **MARYLAND NETWORK AGAINST DOMESTIC VIOLENCE.**

1 4-505.

2 (a) (1) (i) If, after a hearing on a petition, whether ex parte or otherwise, a  
3 judge finds that there are reasonable grounds to believe that a person eligible for relief has  
4 been abused, the judge may enter a temporary protective order to protect any person  
5 eligible for relief from abuse.

6 (ii) In determining whether there are reasonable grounds to believe  
7 that a person eligible for relief has been abused, the judge may consider whether a military  
8 protection order has been issued against the respondent for the same or similar conduct  
9 against the same person eligible for relief.

10 (2) The temporary protective order may order any or all of the following  
11 relief:

12 (i) order the respondent to refrain from further abuse or threats of  
13 abuse of a person eligible for relief;

14 (ii) order the respondent to refrain from contacting, attempting to  
15 contact, or harassing any person eligible for relief;

16 (iii) order the respondent to refrain from entering the residence of a  
17 person eligible for relief;

18 (iv) where the person eligible for relief and the respondent are  
19 residing together at the time of the alleged abuse, order the respondent to vacate the home  
20 immediately and award temporary use and possession of the home to the person eligible  
21 for relief or in the case of alleged abuse of a child or alleged abuse of a vulnerable adult,  
22 award temporary use and possession of the home to an adult living in the home, provided  
23 that the court may not grant an order to vacate and award temporary use and possession  
24 of the home to a nonspouse person eligible for relief unless the name of the person eligible  
25 for relief appears on the lease or deed to the home or the person eligible for relief has resided  
26 in the home with the respondent for a period of at least 90 days within 1 year before the  
27 filing of the petition;

28 (v) order the respondent to remain away from the place of  
29 employment, school, or temporary residence of a person eligible for relief or home of other  
30 family members;

31 (vi) order the respondent to remain away from a child care provider  
32 of a person eligible for relief while a child of the person is in the care of the child care  
33 provider;

34 (vii) award temporary custody of a minor child of the person eligible  
35 for relief and the respondent; AND

36 (viii) [order the respondent to surrender to law enforcement

1 authorities any firearm in the respondent's possession, and to refrain from possession of  
2 any firearm, for the duration of the temporary protective order if the abuse consisted of:

3                           1. the use of a firearm by the respondent against a person  
4 eligible for relief;

5                           2. a threat by the respondent to use a firearm against a  
6 person eligible for relief;

7                           3. serious bodily harm to a person eligible for relief caused by  
8 the respondent; or

9                           4. a threat by the respondent to cause serious bodily harm to  
10 a person eligible for relief; and

11                           (ix)] award temporary possession of any pet of the person eligible for  
12 relief or the respondent.

13                           (3) If the judge awards temporary custody of a minor child under  
14 paragraph (2)(vii) of this subsection, the judge may order a law enforcement officer to use  
15 all reasonable and necessary force to return the minor child to the custodial parent after  
16 service of the temporary protective order.

17                           **(4) THE TEMPORARY PROTECTIVE ORDER SHALL ORDER THE**  
18 **RESPONDENT TO:**

19                           **(I) SURRENDER TO LAW ENFORCEMENT AUTHORITIES ANY**  
20 **FIREARM IN THE RESPONDENT'S POSSESSION AND ANY HANDGUN QUALIFICATION**  
21 **LICENSE OR PERMIT TO WEAR, CARRY, OR TRANSPORT A HANDGUN ISSUED TO THE**  
22 **RESPONDENT; AND**

23                           **(II) REFRAIN FROM PURCHASING OR POSSESSING A FIREARM**  
24 **FOR THE DURATION OF THE TEMPORARY PROTECTIVE ORDER.**

25 4-506.

26                           (f) The final protective order shall order the respondent to surrender to law  
27 enforcement authorities any firearm in the respondent's possession **AND ANY HANDGUN**  
28 **QUALIFICATION LICENSE OR PERMIT TO WEAR, CARRY, OR TRANSPORT A HANDGUN**  
29 **ISSUED TO THE RESPONDENT**, and to refrain from [possession of any] PURCHASING OR  
30 POSSESSING A firearm, for the duration of the protective order.

31 4-506.1.

32                           **(A) (1) IF A RESPONDENT IS ORDERED TO SURRENDER A FIREARM, A**  
33 **HANDGUN QUALIFICATION LICENSE, OR A PERMIT TO WEAR, CARRY, OR TRANSPORT**

1 A HANDGUN UNDER THIS SUBTITLE, THE RESPONDENT SHALL SURRENDER ALL  
2 FIREARMS AND ANY HANDGUN QUALIFICATION LICENSE OR PERMIT TO WEAR,  
3 CARRY, OR TRANSPORT A HANDGUN IN THE RESPONDENT'S POSSESSION TO A LOCAL  
4 LAW ENFORCEMENT AUTHORITY WITHIN 24 HOURS AFTER A LAW ENFORCEMENT  
5 OFFICER SERVES THE ORDER ON THE RESPONDENT.

6 (2) IF THE RESPONDENT DOES NOT POSSESS A FIREARM, THE  
7 RESPONDENT SHALL SUBMIT AN AFFIDAVIT TO THE COURT AND ANY RELEVANT LAW  
8 ENFORCEMENT AGENCY TO THAT EFFECT SIGNED UNDER PENALTY OF PERJURY  
9 WITHIN 2 BUSINESS DAYS AFTER SERVICE OF THE ORDER.

10 (3) IF THE RESPONDENT HAS LAWFULLY SOLD OR TRANSFERRED A  
11 FIREARM WITHIN THE PRIOR 30 DAYS, THE RESPONDENT SHALL SUBMIT THE  
12 TRANSFER PAPERWORK TO THE COURT AND ANY RELEVANT LAW ENFORCEMENT  
13 AGENCY WITHIN 2 BUSINESS DAYS AFTER SERVICE OF THE ORDER.

14 (B) (1) WITHIN 3 BUSINESS DAYS AFTER SERVICE OF THE ORDER, A  
15 LOCAL LAW ENFORCEMENT AUTHORITY SHALL DETERMINE WHETHER THE  
16 RESPONDENT HAS COMPLIED WITH SUBSECTION (A) OF THIS SECTION.

17 (2) IF A LOCAL LAW ENFORCEMENT AUTHORITY DETERMINES A  
18 RESPONDENT IS NOT IN COMPLIANCE WITH SUBSECTION (A) OF THIS SECTION  
19 WITHIN 3 BUSINESS DAYS AFTER SERVICE OF THE ORDER, THE LOCAL LAW  
20 ENFORCEMENT AUTHORITY SHALL:

21 (I) NOTIFY THE STATE'S ATTORNEY'S OFFICE THAT THE  
22 RESPONDENT IS NOT IN COMPLIANCE WITH SUBSECTION (A) OF THIS SECTION; AND

23 (II) TAKE APPROPRIATE STEPS TO DETERMINE WHETHER THE  
24 RESPONDENT IS IN POSSESSION OF FIREARMS, INCLUDING BY OBTAINING A SEARCH  
25 WARRANT UNDER SUBSECTION (H) OF THIS SECTION, AND REMOVE ANY FIREARMS.

26 [(a)] (C) If a respondent surrenders a firearm under [§ 4–505 or § 4–506 of] this  
27 subtitle, a law enforcement officer shall:

28 (1) provide to the respondent information on the process for retaking  
29 possession of the firearm; and

30 (2) transport and store the firearm in a protective case, if one is available,  
31 and in a manner intended to prevent damage to the firearm during the time the protective  
32 order is in effect.

33 (D) (1) THE RESPONDENT MAY RETAKE POSSESSION OF THE FIREARM AT  
34 THE EXPIRATION OF AN INTERIM PROTECTIVE ORDER UNLESS:

4 (II) THE RESPONDENT IS NOT OTHERWISE LEGALLY ENTITLED  
5 TO OWN OR POSSESS THE FIREARM.

6        [(b) (1)] (2)      The respondent may retake possession of the firearm at the  
7 expiration of a temporary protective order unless:

(i) the respondent is ordered to surrender the firearm in a protective order issued under § 4–506 of this subtitle; or

10 (ii) the respondent is not otherwise legally entitled to own or possess  
11 the firearm.

12                   [(2)] (3)     The respondent may retake possession of the firearm at the  
13 expiration of a final protective order unless:

14 (i) the protective order is extended under § 4-507(a)(2) of this  
15 subtitle; or

16 (ii) the respondent is not otherwise legally entitled to own or possess  
17 the firearm.

18        [(c)] (E) Notwithstanding any other law, a respondent may transport a firearm  
19 if the respondent is carrying a protective order requiring the surrender of the firearm and:

20 (1) the firearm is unloaded;

21 (2) the respondent has notified the law enforcement unit, barracks, or  
22 station that the firearm is being transported in accordance with the protective order; and

23 (3) the respondent transports the firearm directly to the law enforcement  
24 unit, barracks, or station.

25 (F) A RESPONDENT WHO DOES NOT WISH TO RECOVER A FIREARM  
26 SURRENDERED IN ACCORDANCE WITH A PROTECTIVE ORDER OR WHO IS OTHERWISE  
27 PROHIBITED FROM POSSESSING A FIREARM MAY:

**(1) SELL OR TRANSFER THE FIREARM OR AMMUNITION TO:**

29 (I) A LICENSED FIREARM DEALER; OR

**(II) ANOTHER PERSON:**

6 (2) REQUEST THE DESTRUCTION OF THE FIREARM.

7 (G) A LAW ENFORCEMENT AGENCY THAT RECEIVES A FIREARM  
8 SURRENDERED UNDER THIS SUBTITLE SHALL ISSUE WRITTEN PROOF OF THE  
9 SURRENDER TO THE RESPONDENT, INCLUDING:

10 (1) THE NAME OF THE PERSON SURRENDERING THE FIREARM;

11 (2) THE DATE THE FIREARM WAS SURRENDERED; AND

12 (3) (I) SUBJECT TO ITEM (II) OF THIS ITEM, THE SERIAL NUMBER,  
13 MAKE, AND MODEL OF THE FIREARM; OR

14 (II) FOR A FIREARM MANUFACTURED PRIOR TO 1968 WITHOUT  
15 A SERIAL NUMBER, THE IDENTIFYING MARKS ON THE FIREARM.

16 (H) (1) TO CARRY OUT THE PROVISIONS OF THIS SUBTITLE RELATING TO  
17 THE SURRENDER OF FIREARMS, A LAW ENFORCEMENT OFFICER SHALL ACCOMPANY  
18 THE RESPONDENT OR PROCEED WITHOUT THE RESPONDENT'S PRESENCE, IF  
19 NECESSARY, TO ANY PLACE WHERE THE LAW ENFORCEMENT OFFICER HAS  
20 PROBABLE CAUSE TO BELIEVE A FIREARM IN THE POSSESSION OF THE RESPONDENT  
21 IS LOCATED TO ENSURE THAT THE RESPONDENT DOES NOT GAIN ACCESS TO A  
22 FIREARM.

1 FIREARM IN THE POSSESSION OF THE RESPONDENT IS LOCATED, THE LAW  
2 ENFORCEMENT OFFICER SHALL PROCEED WITHOUT THE RESPONDENT'S PRESENCE.

3 4-509.

4 (a) A person may not fail to comply with the relief granted in an interim protective  
5 order under § 4-504.1(c)(1), (2), (3), (4)(i), (7), or (8) of this subtitle, a temporary protective  
6 order under § 4-505(a)(2)(i), (ii), (iii), (iv), OR (v)[, or (viii)] OR (4) of this subtitle, or a final  
7 protective order under § 4-506(d)(1), (2), (3), (4), or (5)[,] or (f) of this subtitle.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
9 October 1, 2026.