



BILL NO: Senate Bill 743
TITLE: Family Law - Protective Orders - Crimes of Violence and Stalking
COMMITTEE: Judicial Proceedings
HEARING DATE: February 20, 2024
POSITION: **FAVORABLE WITH AMENDMENTS**

The Maryland Network Against Domestic Violence (MNADV) is the state domestic violence coalition that brings together victim service providers, allied professionals, and concerned individuals for the common purpose of reducing intimate partner and family violence and its harmful effects on our citizens. **MNADV urges the Senate Judicial Proceedings Committee to issue a favorable report with amendments on SB 743.**

As originally drafted, SB 743 would incorporate non-intimate partner victims of stalking to the protective order and change the eligibility requirements for permanent protective orders. As drafted, MNADV would oppose SB 743. However, with sponsor amendments, SB 743 is a much-improved bill that contains a superior pathway to a permanent protective order for victims of domestic violence.

Maryland offers two types of civil orders for victims seeking safety, a peace order and a protective order. Protective Orders primarily address issues unique to those in an intimate partner or familial relationship. Peace Orders are a form of relief available to those that do not meet the relationship requirements of a Protective Order. This clear delineation is valuable for pro se litigants to understand which order to apply for. It also allows for the enhanced protections available pursuant to a Protective Order since it limits those eligible for relief.

Senate Bill 743 as amended improves Maryland's Peace Order laws and would bring our laws more in-line with the protections available in other states. The current Peace Order is limited in duration, and SB 743 would extend the length of a Peace Order to 1 year. In addition, it would empower the court to exercise its discretion in cases to determine if a Peace Order respondent should be ordered to relinquish their firearms during the duration of the order. Certain victims in dating relationships are not eligible for a Protective Order and these remedies would be available to them.

Senate Bill 743 as amended also proposes critical and beneficial modifications to the Permanent Protective Order. The relief available under a Permanent Protective Order is limited in nature to a stay away order, but increasing the eligibility and empowering the court to exercise its discretion in cases could benefit many victims of domestic violence. The current eligibility requirements for a Permanent Protective Order do not appreciate that many victims do not pursue or desire criminal court involvement. Victims want to be safe. SB 743 as amended will help them achieve that safety with an expansion in eligibility for a Permanent Protective Order.

For the above stated reasons, the **Maryland Network Against Domestic Violence urges a favorable report with amendments on SB 743.**

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