

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL NO. 158
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 11, after “orders;” insert “establishing that a subsequent circuit court order pertaining to any of the provisions included in the protective order shall supersede those provisions in the protective order; authorizing the court that issued a protective order to extend the term of the protective order with regard to certain types of relief under certain circumstances;”.

On page 2, in line 4, after “(g)” insert “and 4-507(a)”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 25 through 27, inclusive, and substitute:

“(I) IN AT LEAST 10-POINT BOLD TYPE, THAT IF THE RESPONDENT FAILS TO APPEAR AT THE PROTECTIVE ORDER HEARING, THE RESPONDENT MAY BE SERVED BY FIRST-CLASS MAIL AT THE RESPONDENT’S LAST KNOWN ADDRESS WITH THE PROTECTIVE ORDER AND ALL OTHER NOTICES CONCERNING THE PROTECTIVE ORDER;

“(II) SPECIFYING ALL THE POSSIBLE FORMS OF RELIEF UNDER SUBSECTION (D) OF THIS SECTION THAT THE PROTECTIVE ORDER MAY CONTAIN;

“(III) THAT THE PROTECTIVE ORDER SHALL BE EFFECTIVE FOR THE PERIOD STATED IN THE ORDER, NOT TO EXCEED 18 MONTHS, UNLESS THE COURT EXTENDS THE TERM OF THE ORDER, UNDER § 4-507(A)(2) OF THIS SUBTITLE, AS TO THE TYPES OF RELIEF DESCRIBED IN SUBSECTION (D)(1) THROUGH (7) OF THIS SECTION; AND”;

(Over)

and in line 28, strike “(II)” and substitute “(IV) IN AT LEAST 10-POINT BOLD TYPE.”.

On page 3, in line 7, strike “All” and substitute “(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, ALL”; in line 8, strike “1 YEAR” and substitute “18 MONTHS”; and after line 8, insert:

“(2) A SUBSEQUENT CIRCUIT COURT ORDER PERTAINING TO ANY OF THE PROVISIONS INCLUDED IN THE PROTECTIVE ORDER SHALL SUPERSEDE THOSE PROVISIONS IN THE PROTECTIVE ORDER.

4-507.

(a) (1) The court that issued the protective order may modify or rescind the protective order during the term of the protective order after:

(i) giving notice to all affected persons eligible for relief and the respondent;

and

(ii) a hearing.

(2) [The] FOR GOOD CAUSE SHOWN, THE court THAT ISSUED A PROTECTIVE ORDER may [not] extend the TERM OF THE protective order ONLY WITH REGARD TO ANY RELIEF DESCRIBED IN § 4-506(D)(1) THROUGH (7) OF THIS SUBTITLE beyond the period specified in § 4-506 of this subtitle, AFTER:

(I) GIVING NOTICE TO ALL AFFECTED PERSONS ELIGIBLE FOR RELIEF AND THE RESPONDENT; AND

(II) A HEARING.”.