
By: Delegate Taylor and Chairman, Judiciary Committee (Family Violence Council), and Delegates Dewberry, Hurson, Arnick, Busch, Curran, Harrison, Hixson, Kopp, Menes, Owings, Rawlings, Hecht, Grosfeld, Montague, Preis, Love, Pendergrass, Conway, Cadden, Brinkley, Petzold, Nathan-Pulliam, Willis, McIntosh, Parker, Rosenberg, B. Hughes, Branch, Slade, Donoghue, Franchot, Edwards, Bobo, Eckardt, Stup, Watson, Mandel, Conroy, Fry, Hubbard, and Pitkin

Introduced and read first time: January 30, 1997

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Family Law - Protective Orders**

3 FOR the purpose of requiring that a respondent be served a copy of a protective order in
4 open court or by first class mail; repealing a provision of law that requires a copy of
5 a protective order to be served on a respondent by certain law enforcement
6 personnel; providing that, under certain circumstances, service constitutes actual
7 notice to the respondent of the contents of the protective order; establishing that
8 service is complete upon mailing; modifying a certain provision of law to extend the
9 duration of protective orders; defining a certain term; and generally relating to
10 protective orders.

11 BY renumbering

12 Article - Family Law

13 Section 4-501(j) and (k), respectively

14 to be Section 4-501(k) and (l), respectively

15 Annotated Code of Maryland

16 (1991 Replacement Volume and 1996 Supplement)

17 BY adding to

18 Article - Family Law

19 Section 4-501(j)

20 Annotated Code of Maryland

21 (1991 Replacement Volume and 1996 Supplement)

22 BY repealing and reenacting, with amendments,

23 Article - Family Law

24 Section 4-506(f) and (g)

25 Annotated Code of Maryland

26 (1991 Replacement Volume and 1996 Supplement)

2

1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
2 MARYLAND, That Section(s) 4-501(j) and (k), respectively, of the Family Law Article
3 of the Annotated Code of Maryland be renumbered to be Section(s) 4-501(k) and (l),
4 respectively.

5 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
6 read as follows:

7 **Article - Family Law**

8 4-501.

9 (J) "RESIDENCE" INCLUDES THE CURTILAGE.

10 4-506.

11 (f) (1) A copy of the protective order shall be served on the petitioner, THE
12 RESPONDENT, any affected person eligible for relief, the appropriate law enforcement
13 agency, and any other person the court determines is appropriate, in open court or by first
14 class mail.

15 [(2) (i) A copy of the protective order shall be served on the respondent in
16 open court or by a law enforcement officer, constable, or sheriff.

17 (ii) A copy of the protective order shall also be sent to the last known
18 address of the respondent by first class mail.

19 (3) If the respondent is served by a law enforcement officer, constable, or
20 sheriff, a return of service shall be filed with the court.]

21 (2) A COPY OF THE PROTECTIVE ORDER SERVED ON THE RESPONDENT
22 IN ACCORDANCE WITH PARAGRAPH (1) OF THIS SUBSECTION CONSTITUTES ACTUAL
23 NOTICE TO THE RESPONDENT OF THE CONTENTS OF THE PROTECTIVE ORDER.
24 SERVICE IS COMPLETE UPON MAILING.

25 (g) All relief granted in a protective order shall be effective for the period stated
26 in the order, not to exceed [200 days] 18 MONTHS.

27 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 October 1, 1997.