

SENATE BILL 43

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D4

1998 Regular Session  
(8r0778)

**ENROLLED BILL**  
-- Judicial Proceedings/Judiciary --

Introduced by **Senator Haines**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this  
\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_ M.

\_\_\_\_\_  
President.

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 ~~Domestic Violence - Ex Parte or Protective Orders - Penalties~~  
3 Family Law - Domestic Violence - Penalties

4 ~~FOR the purpose of altering the maximum term of imprisonment penalties for a~~  
5 ~~person convicted of violating a certain ex parte or protective order; and generally~~  
6 ~~relating to the penalties for violating ex parte or protective orders.~~

7 FOR the purpose of altering the penalties for failure to comply with the relief granted  
8 in an ex parte order or protective order; and generally relating to penalties for  
9 failure to comply with certain relief granted in an ex parte order or protective  
10 order.

11 BY repealing and reenacting, with amendments,  
12 Article - Family Law  
13 Section 4-509  
14 Annotated Code of Maryland  
15 (1991 Replacement Volume and 1997 Supplement)

1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
2 MARYLAND, That the Laws of Maryland read as follows:

3 **Article - Family Law**

4 4-509.

5 (a) A person who fails to comply with the relief granted in an ex parte order  
6 under § 4-505(a)(2)(i), (ii), (iii), (iv), or (v) of this subtitle or in a protective order  
7 under § 4-506(d)(1), (2), (3), (4), or (5) of this subtitle is guilty of a misdemeanor and  
8 on conviction is subject, for each offense, to:

9 (1) FOR A FIRST OFFENSE, a fine not exceeding ~~\$500~~ \$2,500 ~~\$1,000~~ or  
10 imprisonment not exceeding ~~{90 days}~~ 3 YEARS or both; AND

11 (2) FOR A SECOND OR SUBSEQUENT OFFENSE, A FINE NOT EXCEEDING  
12 \$2,500 OR IMPRISONMENT NOT EXCEEDING 1 YEAR OR BOTH.

13 (b) An officer shall arrest with or without a warrant and take into custody a  
14 person whom the officer has probable cause to believe is in violation of an ex parte  
15 order or protective order in effect at the time of the violation.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
17 October 1, 1998.