

SENATE BILL 43

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1998 Regular Session
8lr0778

(PRE-FILED)

By: **Senator Haines**

Requested: November 14, 1997

Introduced and read first time: January 14, 1998

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 11, 1998

CHAPTER _____

1 AN ACT concerning

2 **Domestic Violence - Ex Parte or Protective Orders - Penalties**

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

6 BY repealing and reenacting, with amendments,
7 Article - Family Law
8 Section 4-509
9 Annotated Code of Maryland
10 (1991 Replacement Volume and 1997 Supplement)

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

13 **Article - Family Law**

14 4-509.

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

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

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

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

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