

SENATE BILL 276

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2000 Regular Session
0lr1943
CF 0lr1682

By: **Senators Jacobs, Hooper, and Collins**
Introduced and read first time: January 31, 2000
Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Domestic Violence - Ex Parte Orders - Denial of Bail**

3 FOR the purpose of requiring that a court deny a person bail when that person is
4 arrested a second or subsequent time for violating a certain ex parte order; and
5 generally relating to the denial of bail for multiple violations of certain ex parte
6 orders.

7 BY repealing and reenacting, with amendments,
8 Article - Family Law
9 Section 4-509
10 Annotated Code of Maryland
11 (1999 Replacement Volume and 1999 Supplement)

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

14 **Article - Family Law**

15 4-509.

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

20 (1) for a first offense, a fine not exceeding \$1,000 or imprisonment not
21 exceeding 90 days or both; and

22 (2) for a second or subsequent offense, a fine not exceeding \$2,500 or
23 imprisonment not exceeding 1 year or both.

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

1 (C) WHEN A PERSON IS ARRESTED A SECOND OR SUBSEQUENT TIME FOR
2 FAILING TO COMPLY WITH THE RELIEF GRANTED IN AN EX PARTE ORDER UNDER §
3 4-505(A)(2)(I), (II), (III), (IV), OR (V) OF THIS SUBTITLE, THE COURT SHALL DENY THAT
4 PERSON BAIL.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 October 1, 2000.