

HOUSE BILL 23

Unofficial Copy
D4

2001 Regular Session
1r0348

(PRE-FILED)

By: **Delegate Boschert**
Requested: July 31, 2000
Introduced and read first time: January 10, 2001
Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Family Law - Domestic Violence - Penalties**

3 FOR the purpose of making it a felony for failing, in a second or subsequent offense,
4 to comply with certain relief granted in an ex parte order or protective order;
5 increasing certain penalties; and generally relating to penalties for failure to
6 comply with certain relief granted in ex parte orders or protective 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 2000 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:

19 (1) FOR A FIRST OFFENSE, a misdemeanor and on conviction is subject [,
20 for each offense, to:

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

23 (2) for a second or subsequent offense, A FELONY AND ON CONVICTION IS
24 SUBJECT TO, FOR EACH OFFENSE, a fine not exceeding [\$2,500] \$10,000 or
25 imprisonment not exceeding [1 year] 5 YEARS or both.

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

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 2001.