

**Department of Legislative Services**  
Maryland General Assembly  
2001 Session

**FISCAL NOTE**

Senate Bill 481 (Senator Green, *et al.*)

Judicial Proceedings

Judiciary

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**Domestic Violence - Out-of-State Orders for Protection - Enforcement**

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This bill relates to the enforcement of out-of-State orders for protection from domestic violence. A law enforcement officer enforcing an out-of-State order for protection in accordance with statutory provisions shall be immune from civil liability if the law enforcement officer acts in good faith and in a reasonable manner. The bill also defines “order for protection” and replaces the term “protective order” in relevant provisions of law with “order for protection.” A Maryland court must enforce an out-of-State ex parte order for protection only to the extent that relief is permitted under Maryland law. In addition, the bill eliminates the requirement that a person seeking to enforce an out-of-State order for protection submit an authenticated copy of the order. The copy need only appear valid on its face.

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**Fiscal Summary**

**State Effect:** The bill’s provisions are not expected to have a significant impact on governmental operations or finances.

**Local Effect:** None.

**Small Business Effect:** None.

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**Analysis**

**Current Law:** The current statute relating to enforcement of out-of-State protective orders does not specifically provide immunity to a law enforcement officer enforcing its provisions. A Maryland court must accord full faith and credit to a protective order

issued by a court of another state or an Indian tribe, and must enforce the order only to the extent that the order affords relief that is permitted under Maryland law. A person seeking to enforce an out-of-State protective order must file with the court or present to the law enforcement officer an authenticated copy of the order.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** HB 254 (Delegate Grosfeld, *et al.*) – Judiciary.

**Information Source(s):** Department of State Police, Judiciary (District Court of Maryland), Department of Legislative Services

**Fiscal Note History:** First Reader – February 18, 2001  
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