
By: **Delegate Boschert**

Introduced and read first time: January 14, 2002

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Family Law - Domestic Violence - Penalty**

3 FOR the purpose of increasing the penalty for failing to comply with certain relief
4 granted in an ex parte order or protective order; repealing a certain penalty for
5 a first offense and for a second or subsequent offense; providing for the
6 application of this Act; and generally relating to penalties for failure to comply
7 with certain relief granted in ex parte orders or protective orders.

8 BY repealing and reenacting, with amendments,
9 Article - Family Law
10 Section 4-509
11 Annotated Code of Maryland
12 (1999 Replacement Volume and 2001 Supplement)

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

15 **Article - Family Law**

16 4-509.

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

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

23 (2) For a second or subsequent offense,] a fine not exceeding [\$2,500]
24 \$10,000 or imprisonment not exceeding [1 year] 5 YEARS or both.

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

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be
2 construed to apply only prospectively and may not be applied or interpreted to have
3 any effect on or application to any failure to comply with the relief granted in an ex
4 parte order or in a protective order before the effective date of this Act.

5 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 October 1, 2002.