
By: **Delegates Dumais, Anderson, Barkley, Bobo, Carter, V. Clagett, Cryor, Eckardt, Feldman, Gaines, Goldwater, Gutierrez, Kaiser, Kelley, King, Lee, Love, McComas, Montgomery, Pendergrass, Petzold, Simmons, Sophocleus, Sossi, Walkup, and Zirkin**

Introduced and read first time: January 27, 2005

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Domestic Violence - Protective Orders - Definition of Abuse**

3 FOR the purpose of altering the definition of "abuse" applicable to certain proceedings
4 to include harassment, stalking, trespass, and malicious destruction of property;
5 and generally relating to certain petitions for relief from abuse.

6 BY repealing and reenacting, with amendments,
7 Article - Family Law
8 Section 4-501(b)
9 Annotated Code of Maryland
10 (2004 Replacement Volume)

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 4-501.

15 (b) (1) "Abuse" means any of the following acts:

16 (i) an act that causes serious bodily harm;

17 (ii) an act that places a person eligible for relief in fear of imminent
18 serious bodily harm;

19 (iii) assault in any degree;

20 (iv) rape or sexual offense under §§ 3-303 through 3-308 of the
21 Criminal Law Article or attempted rape or sexual offense in any degree; [or]

22 (v) false imprisonment;

1 (VI) HARASSMENT UNDER § 3-803 OF THE CRIMINAL LAW ARTICLE;

2 (VII) STALKING UNDER § 3-802 OF THE CRIMINAL LAW ARTICLE;

3 (VIII) TRESPASS UNDER TITLE 6, SUBTITLE 4 OF THE CRIMINAL LAW
4 ARTICLE; OR

5 (IX) MALICIOUS DESTRUCTION OF PROPERTY UNDER § 6-301 OF THE
6 CRIMINAL LAW ARTICLE.

7 (2) If the person for whom relief is sought is a child, "abuse" may also
8 include abuse of a child, as defined in Title 5, Subtitle 7 of this article. Nothing in this
9 subtitle shall be construed to prohibit reasonable punishment, including reasonable
10 corporal punishment, in light of the age and condition of the child, from being
11 performed by a parent or stepparent of the child.

12 (3) If the person for whom relief is sought is a vulnerable adult, "abuse"
13 may also include abuse of a vulnerable adult, as defined in Title 14, Subtitle 1 of this
14 article.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2005.