

---

By: **Delegates McComas, Aumann, Barkley, Bartlett, Boteler, Boutin, Burns, Carter, V. Clagett, Cluster, Conroy, DeBoy, Dumais, Elliott, Frush, Goldwater, Haddaway, Kaiser, McMillan, Menes, Miller, Montgomery, Myers, Parrott, Petzold, Quinter, Shank, Shewell, Sophocleus, Sossi, Stocksdale, Trueschler, and Weldon**

Introduced and read first time: February 10, 2005

Assigned to: Judiciary

---

A BILL ENTITLED

1 AN ACT concerning

2 **Domestic Violence - Protective Order - Penalty**

3 FOR the purpose of providing certain penalties for willful failure to complete certain  
4 counseling or a domestic violence program ordered by the court in a final  
5 protective order; and generally relating to domestic violence.

6 BY repealing and reenacting, without amendments,

7 Article - Family Law

8 Section 4-506(d)(11)

9 Annotated Code of Maryland

10 (2004 Replacement Volume)

11 BY repealing and reenacting, with amendments,

12 Article - Family Law

13 Section 4-509

14 Annotated Code of Maryland

15 (2004 Replacement Volume)

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

18 **Article - Family Law**

19 4-506.

20 (d) The final protective order may include any or all of the following relief:

21 (11) direct the respondent or any or all of the persons eligible for relief to  
22 participate in professionally supervised counseling or a domestic violence program;

1 4-509.

2 (a) A person who fails to comply with the relief granted in an interim  
3 protective order under § 4-504.1(c)(1), (2), (3), (4)(i), (7), or (8) of this subtitle, a  
4 temporary protective order under § 4-505(a)(2)(i), (ii), (iii), (iv), or (v) of this subtitle,  
5 or a final protective order under § 4-506(d)(1), (2), (3), (4), (5), or (12) OF THIS  
6 SUBTITLE, OR A RESPONDENT WHO WILLFULLY FAILS TO COMPLETE COUNSELING  
7 OR A DOMESTIC VIOLENCE PROGRAM ORDERED UNDER § 4-506(D)(11) of this subtitle  
8 is guilty of a misdemeanor and on conviction is subject, for each offense, to:

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

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

13 (b) An officer shall arrest with or without a warrant and take into custody a  
14 person who the officer has probable cause to believe is in violation of an interim,  
15 temporary, or final protective order in effect at the time of the violation.

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