

ENROLLED BILL
-- Judicial Proceedings/Judiciary --

Introduced by **Senators Grosfeld, Britt, Brochin, Conway, Currie, DeGrange, Della, Exum, Forehand, Garagiola, Giannetti, Gladden, Hollinger, Hughes, Jacobs, Jimeno, Jones, Kasemeyer, Kelley, Klausmeier, Kramer, Lawlah, McFadden, Middleton, Pinsky, Ruben, and Teitelbaum**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

President.

CHAPTER _____

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, and stalking, trespass, and malicious destruction of~~
5 ~~property~~; 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:

1

Article - Family Law

2 4-501.

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

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

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

7 (iii) assault in any degree;

8 (iv) rape or sexual offense under §§ 3-303 through 3-308 of the
9 Criminal Law Article or attempted rape or sexual offense in any degree; [or]10 (v) false imprisonment; *OR*11 (VI) ~~HARASSMENT UNDER § 3-803 OF THE CRIMINAL LAW ARTICLE;~~12 ~~*OR*~~13 ~~(VII) STALKING UNDER § 3-802 OF THE CRIMINAL LAW ARTICLE;~~14 ~~(VIII) TRESPASS UNDER TITLE 6, SUBTITLE 4 OF THE CRIMINAL LAW~~
15 ~~ARTICLE; OR~~16 ~~(IX) MALICIOUS DESTRUCTION OF PROPERTY UNDER § 6-301 OF THE~~
17 ~~CRIMINAL LAW ARTICLE.~~18 (2) If the person for whom relief is sought is a child, "abuse" may also
19 include abuse of a child, as defined in Title 5, Subtitle 7 of this article. Nothing in this
20 subtitle shall be construed to prohibit reasonable punishment, including reasonable
21 corporal punishment, in light of the age and condition of the child, from being
22 performed by a parent or stepparent of the child.23 (3) If the person for whom relief is sought is a vulnerable adult, "abuse"
24 may also include abuse of a vulnerable adult, as defined in Title 14, Subtitle 1 of this
25 article.26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 October 1, 2005.

