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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**

Introduced and read first time: January 27, 2005

Assigned to: Judicial Proceedings

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 15, 2005

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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:

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;

1 (iii) assault in any degree;

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

4 (v) false imprisonment;

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

6 OR

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

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

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

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

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

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