K3 6lr2273

By: Delegate Quinter
Introduced and read first time: February 10, 2006

Assigned to: Judiciary

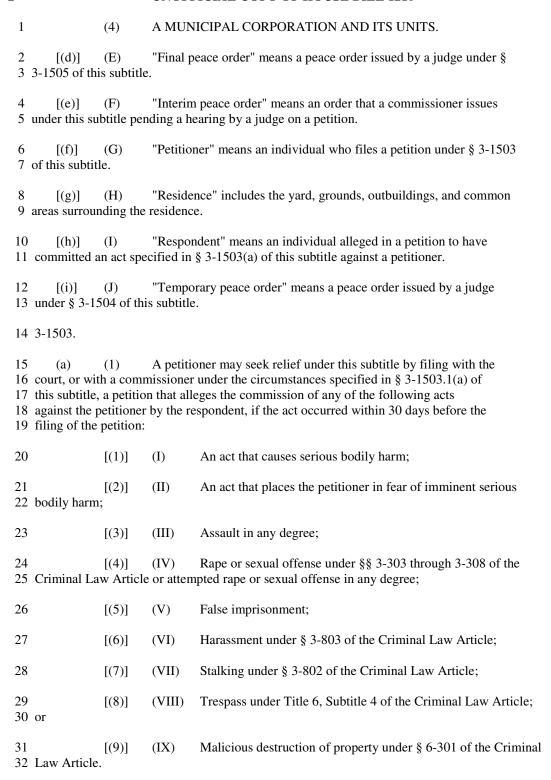
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(3)

	A BILL ENTITLED
1	AN ACT concerning
2	Maryland Workplace Violence Protection Act of 2006
3 4 5 6	FOR the purpose of authorizing an employer to seek a peace order against violence at the workplace under certain circumstances; providing for the application of certain provisions of this Act; defining a certain term; and generally relating to peace orders against workplace violence.
7 8 9 10	BY repealing and reenacting, with amendments, Article - Courts and Judicial Proceedings Section 3-1501 and 3-1503(a) Annotated Code of Maryland (2002 Replacement Volume and 2005 Supplement)
12 13	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:
14	Article - Courts and Judicial Proceedings
15	3-1501.
16	(a) In this subtitle the following words have the meanings indicated.
17 18	(b) "Commissioner" means a District Court commissioner appointed in accordance with Article IV, § 41G of the Maryland Constitution.
19	(c) "Court" means the District Court of Maryland.
20	(D) "EMPLOYER" MEANS:
21 22	(1) A PERSON ENGAGED IN A BUSINESS, INDUSTRY, PROFESSION, TRADE, OR OTHER ENTERPRISE IN THE STATE;
23	(2) THE STATE AND ITS UNITS;

A COUNTY AND ITS UNITS; AND



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- (2) AN EMPLOYER MAY SEEK RELIEF AS A PETITIONER UNDER (I) 2 PARAGRAPH (1) OF THIS SECTION IF THE EMPLOYER: 1. CONCLUDES THAT ANY OF THE ACTS DESCRIBED UNDER 4 PARAGRAPH (1) OF THIS SECTION WERE COMMITTED: 5 BY THE RESPONDENT AT THE WORKPLACE; AND A. AGAINST AN EMPLOYEE OF THE EMPLOYER OR ANY В. 6 7 OTHER PERSON PRESENT AT THE WORKPLACE: AND 8 MAKES A GOOD FAITH EFFORT TO NOTIFY THE ALLEGED 9 VICTIM OF THE EMPLOYER'S INTENTION TO SEEK THE TEMPORARY RESTRAINING 10 ORDER. 11 (II)THIS PARAGRAPH MAY NOT BE CONSTRUED TO: 12 PROHIBIT A PERSON FROM ENGAGING IN SPEECH OR 13 OTHER ACTIVITIES THAT ARE PROTECTED BY THE U.S. CONSTITUTION OR THE 14 MARYLAND CONSTITUTION; PREVENT A PARTY FROM REPRESENTATION BY PRIVATE 15 16 COUNSEL OR FROM PRO SE REPRESENTATION; OR EXPAND, DIMINISH, ALTER, OR MODIFY ANY DUTY OF AN 17 18 EMPLOYER TO PROVIDE A SAFE WORKPLACE FOR AN EMPLOYEE OR OTHER PERSON.
- 19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 20 October 1, 2006.