

HB0182/952318/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 182

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “providing” in line 4 down through “abuse” in line 5 and substitute “requiring the court to issue a new final protective order against an individual under certain circumstances; limiting the relief that a court is authorized to grant in a final protective order issued under this Act; establishing that a final protective order issued under this Act is permanent unless terminated at the request of the victim”.

AMENDMENT NO. 2

On page 2, strike beginning with “RESPONDENT” in line 14 down through “(G)(3)” in line 16 and substitute “COURT ISSUES A PERMANENT ORDER UNDER SUBSECTION (H)”.

On page 5, in line 3, in each instance, strike the bracket; in the same line, strike “PARAGRAPHS (2) AND (3)”; and strike in their entirety lines 9 through 12, inclusive, and substitute:

“(H) (1) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, THE COURT SHALL ISSUE A NEW FINAL PROTECTIVE ORDER AGAINST AN INDIVIDUAL IF:

(I) THE INDIVIDUAL WAS PREVIOUSLY A RESPONDENT UNDER THIS SUBTITLE AGAINST WHOM A FINAL PROTECTIVE ORDER WAS ISSUED;

(Over)

(II) THE INDIVIDUAL WAS CONVICTED AND SERVED A TERM OF IMPRISONMENT OF AT LEAST 5 YEARS UNDER § 2-205, § 2-206, § 3-202, § 3-303, § 3-304, § 3-305, § 3-306, § 3-309, § 3-310, § 3-311, OR § 3-312 OF THE CRIMINAL LAW ARTICLE FOR THE ACT OF ABUSE THAT LED TO THE ISSUANCE OF THE FINAL PROTECTIVE ORDER; AND

(III) THE VICTIM OF THE ABUSE WHO WAS THE PERSON ELIGIBLE FOR RELIEF IN THE ORIGINAL FINAL PROTECTIVE ORDER REQUESTS THE ISSUANCE OF A NEW FINAL PROTECTIVE ORDER WITHIN A REASONABLE TIME AFTER THE RELEASE OF THE INDIVIDUAL FROM THE TERM OF IMPRISONMENT.

(2) IN A FINAL PROTECTIVE ORDER ISSUED UNDER THIS SUBSECTION, THE COURT MAY GRANT ONLY THE RELIEF THAT WAS GRANTED IN THE ORIGINAL PROTECTIVE ORDER UNDER SUBSECTION (D)(1) OR (2) OF THIS SECTION.

(3) UNLESS TERMINATED AT THE REQUEST OF THE VICTIM, A FINAL PROTECTIVE ORDER ISSUED UNDER THIS SUBSECTION SHALL BE PERMANENT.”.