

CHAPTER 612

(House Bill 971)

AN ACT concerning

Domestic Violence – Duration of Protective Order – Subsequent Act of Abuse

FOR the purpose of extending the maximum duration of a final protective order under certain circumstances; and generally relating to domestic violence and the duration of a final protective order.

BY repealing and reenacting, with amendments,
Article – Family Law
Section ~~4–506(h)~~ 4–506(b) and (h)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

Article – Family Law

4–506.

(b) (1) (i) The temporary protective order shall state the date and time of the final protective order hearing.

(ii) Unless continued for good cause, the final protective order hearing shall be held no later than 7 days after the temporary protective order is served on the respondent.

(2) The temporary protective order shall include notice to the respondent:

(i) in at least 10–point bold type, that if the respondent fails to appear at the final protective order hearing, the respondent may be served by first–class mail at the respondent’s last known address with the final protective order and all other notices concerning the final protective order;

(ii) specifying all the possible forms of relief under subsection (d) of this section that the final protective order may contain;

(iii) that the final protective order shall be effective for the period stated in the order, not to exceed [12 months] **1 YEAR OR, UNDER THE**

CIRCUMSTANCES DESCRIBED IN SUBSECTION (H)(2) OF THIS SECTION, 2 YEARS, unless the judge extends the term of the order[,] under § 4-507(a)(2) of this subtitle or the court issues a permanent order under subsection (i) of this section; and

(iv) in at least 10-point bold type, that the respondent must notify the court in writing of any change of address.

(h) (1) Except as provided in [paragraph (2)] **PARAGRAPHS (2) AND (3)** of this subsection, all relief granted in a final protective order shall be effective for the period stated in the order, not to exceed [12 months] **1 YEAR**.

(2) ~~IF THE COURT ISSUES A FINAL PROTECTIVE ORDER UNDER THIS SECTION AGAINST A RESPONDENT FOR AN ACT OF ABUSE COMMITTED WITHIN 1 YEAR AFTER THE DATE THAT A PRIOR PROTECTIVE ORDER ISSUED AGAINST THE SAME RESPONDENT EXPIRES, ALL RELIEF GRANTED IN THE~~ ALL RELIEF GRANTED IN A FINAL PROTECTIVE ORDER SHALL BE EFFECTIVE FOR THE PERIOD STATED IN THE ORDER, NOT TO EXCEED 2 YEARS IF:

(I) THE COURT ISSUES A FINAL PROTECTIVE ORDER UNDER THIS SECTION AGAINST A RESPONDENT ON BEHALF OF A PERSON ELIGIBLE FOR RELIEF FOR AN ACT OF ABUSE COMMITTED WITHIN 1 YEAR AFTER THE DATE THAT A PRIOR FINAL PROTECTIVE ORDER ISSUED AGAINST THE SAME RESPONDENT ON BEHALF OF THE SAME PERSON ELIGIBLE FOR RELIEF EXPIRES; AND

(II) THE PRIOR FINAL PROTECTIVE ORDER WAS ISSUED FOR A PERIOD OF AT LEAST 6 MONTHS.

(3) A subsequent circuit court order pertaining to any of the provisions included in the final protective order shall supersede those provisions in the final protective order.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2009.

Approved by the Governor, May 19, 2009.