

SENATE BILL 653

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11r1825
CF HB 416

By: **Senators Forehand, King, Montgomery, and Raskin**

Introduced and read first time: February 4, 2011

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Family Law – Domestic Violence – Definition of Abuse**

3 FOR the purpose of altering the definition of “abuse” for purposes of certain provisions
4 of law relating to domestic violence to include harassment, trespass, and
5 malicious destruction of property under certain provisions of law; and generally
6 relating to domestic violence and the definition of “abuse”.

7 BY repealing and reenacting, without amendments,
8 Article – Family Law
9 Section 4–501(a)
10 Annotated Code of Maryland
11 (2006 Replacement Volume and 2010 Supplement)

12 BY repealing and reenacting, with amendments,
13 Article – Family Law
14 Section 4–501(b)
15 Annotated Code of Maryland
16 (2006 Replacement Volume and 2010 Supplement)

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

19 **Article – Family Law**

20 4–501.

21 (a) In this subtitle the following words have the meanings indicated.

22 (b) (1) “Abuse” means any of the following acts:

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 (iii) assault in any degree;

4 (iv) rape or sexual offense under §§ 3–303 through 3–308 of the
5 Criminal Law Article or attempted rape or sexual offense in any degree;

6 (v) false imprisonment; [or]

7 (vi) stalking under § 3–802 of the Criminal Law Article;

8 **(VII) HARASSMENT UNDER § 3–803 OF THE CRIMINAL LAW**
9 **ARTICLE;**

10 **(VIII) TRESPASS UNDER TITLE 6, SUBTITLE 4 OF THE**
11 **CRIMINAL LAW ARTICLE; OR**

12 **(IX) MALICIOUS DESTRUCTION OF PROPERTY UNDER §**
13 **6–301 OF THE CRIMINAL LAW ARTICLE.**

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

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

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 October 1, 2011.