

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 1160

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before “Temporary” insert “Interim and”; in line 3, strike the first “a” and substitute “an interim or”; in the same line, after “peace” insert “or protective”; strike beginning with “or” in line 3 down through “order” in line 4; in line 4, after “circumstances;” insert “requiring a court to hold a temporary or final peace or protective order hearing by a certain time under certain circumstances;”; in line 8, after “Section” insert “3-1503.1(d)(1) and (g).”; in the same line, after “3-1504(c)” insert “, and 3-1505(b)(1)”; in line 13, after “Section” insert “4-504.1(e)(1) and (h).”; and in the same line, after “4-505(c)” insert “, and 4-506(b)(1)”.

AMENDMENT NO. 2

On page 1, after line 18, insert:

“3-1503.1.

(d) (1) (i) An interim peace order shall state the date, time, and location for the temporary peace order hearing and a tentative date, time, and location for a final peace order hearing.

(ii) [A] EXCEPT AS PROVIDED IN SUBSECTION (G) OF THIS SECTION, OR UNLESS THE COURT CONTINUES THE HEARING FOR GOOD CAUSE, A temporary peace order hearing shall be held on the first or second day on which a District Court judge is sitting after issuance of the interim peace order[, unless the court continues the hearing for good cause].

(g) (1) [An] EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, AN interim peace order shall be effective until the earlier of:

(Over)

[(1)] (I) The temporary peace order hearing under § 3-1504 of this subtitle; or

[(2)] (II) The end of the second business day the Office of the Clerk of the District Court is open following the issuance of an interim peace order.

(2) IF THE COURT IS CLOSED ON THE DAY ON WHICH THE INTERIM PEACE ORDER IS DUE TO EXPIRE, THE INTERIM PEACE ORDER SHALL BE EFFECTIVE UNTIL THE NEXT DAY ON WHICH THE COURT IS OPEN, AT WHICH TIME THE COURT SHALL HOLD A TEMPORARY PEACE ORDER HEARING.”

On page 2, after line 7, insert:

“4-504.1.

(e) (1) (i) An interim protective order shall state the date, time, and location for the temporary protective order hearing and a tentative date, time, and location for a final protective order hearing.

(ii) [A] EXCEPT AS PROVIDED IN SUBSECTION (H) OF THIS SECTION, OR UNLESS THE JUDGE CONTINUES THE HEARING FOR GOOD CAUSE, A temporary protective order hearing shall be held on the first or second day on which a District Court judge is sitting after issuance of the interim protective order[, unless the judge continues the hearing for good cause].

(h) (1) [An] EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, AN interim protective order shall be effective until the earlier of:

[(1)] (I) the temporary protective order hearing under § 4–505 of this subtitle; or

[(2)] (II) the end of the second business day the Office of the Clerk of the District Court is open following the issuance of an interim protective order.

(2) IF THE COURT IS CLOSED ON THE DAY ON WHICH THE INTERIM PROTECTIVE ORDER IS DUE TO EXPIRE, THE INTERIM PROTECTIVE ORDER SHALL BE EFFECTIVE UNTIL THE NEXT DAY ON WHICH THE COURT IS OPEN, AT WHICH TIME THE COURT SHALL HOLD A TEMPORARY PROTECTIVE ORDER HEARING.”.

AMENDMENT NO. 3

On page 1, in line 20, strike “SECTION” and substitute “SUBSECTION”.

On page 2, in line 9, strike “SECTION” and substitute “SUBSECTION”.

AMENDMENT NO. 4

On page 2, after line 6, insert:

“3-1505.

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

(ii) [Unless] EXCEPT AS PROVIDED IN § 3-1504(C) OF THIS SUBTITLE, OR UNLESS continued for good cause, the final peace order hearing shall be held no later than 7 days after the temporary peace order is served on the respondent.”;

and after line 18, insert:

(Over)

“4-506.

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

(ii) [Unless] EXCEPT AS PROVIDED IN § 4-505(C) OF THIS SUBTITLE, OR 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.”.

AMENDMENT NO. 5

On page 2, in line 6, strike “NEXT” and substitute “SECOND”; in the same line after “OPEN” insert “, BY WHICH TIME THE COURT SHALL HOLD A FINAL PEACE ORDER HEARING”; in line 17, strike “NEXT” and substitute “SECOND”; and in line 18, after “OPEN” insert “, BY WHICH TIME THE COURT SHALL HOLD A FINAL PROTECTIVE ORDER HEARING”.