

SENATE BILL 35

D4
SB 1024/13 – JPR

(PRE-FILED)

4lr0715

By: **Senator Shank**

Requested: October 23, 2013

Introduced and read first time: January 8, 2014

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Family Law – Domestic Violence Incident Report – Dissemination**

3 FOR the purpose of repealing a requirement that a certain law enforcement unit
4 provide a copy of a certain domestic violence incident report to the Department
5 of State Police; and generally relating to the dissemination of domestic violence
6 incident reports.

7 BY repealing and reenacting, without amendments,
8 Article – Family Law
9 Section 4–502
10 Annotated Code of Maryland
11 (2012 Replacement Volume and 2013 Supplement)

12 BY repealing and reenacting, with amendments,
13 Article – Family Law
14 Section 4–503.1
15 Annotated Code of Maryland
16 (2012 Replacement Volume and 2013 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 4–502.

21 (a) (1) Any person who alleges to have been a victim of abuse and who
22 believes there is a danger of serious and immediate personal harm may request the
23 help of a local law enforcement unit.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) A local law enforcement officer who responds to the request for
2 help shall:

3 (i) protect the person from harm when responding to the
4 request; and

5 (ii) accompany the person to the family home so that the person
6 may remove the following items, regardless of who paid for the items:

7 1. the personal clothing of the person and of any child in
8 the care of the person; and

9 2. the personal effects, including medicine or medical
10 devices, of the person and of any child in the care of the person that the person or child
11 needs immediately.

12 (b) A law enforcement officer who responds to a request described in
13 subsection (a) of this section has the immunity from liability described under § 5–610
14 of the Courts Article.

15 4–503.1.

16 (a) If an incident report is filed when a law enforcement officer responds to a
17 request for help under § 4–502 of this Part I of this subtitle, the law enforcement unit
18 shall provide a copy of the report[:

19 (1) to the Department of State Police; and

20 (2) on request,] to the victim **ON REQUEST**.

21 (b) The victim need not obtain a subpoena to receive a copy of the incident
22 report.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 October 1, 2014.