

Chapter 159

(Senate Bill 369)

AN ACT concerning

Peace Orders and Protective Orders – Penalties – Second or Subsequent Offenses

FOR the purpose of making certain violations for failing to comply with an interim, a temporary, or a final protective order a prior offense for the purposes of determining penalties for a second or subsequent offense for failing to comply with an interim, a temporary, or a final peace order; making certain violations for failing to comply with an interim, a temporary, or a final peace order a prior offense for the purposes of determining penalties for a second or subsequent offense for failing to comply with an interim, a temporary, or a final protective order; and generally relating to the penalties for second or subsequent offenses for violating peace orders and protective orders.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–1508
Annotated Code of Maryland
(2013 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 4–509
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

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

Article – Courts and Judicial Proceedings

3–1508.

(a) An individual who fails to comply with the relief granted in an interim peace order under § 3–1503.1 of this subtitle, a temporary peace order under § 3–1504(a)(2) of this subtitle, or a final peace order under § 3–1505(d)(1)(i), (ii), (iii), or (iv) of this subtitle is guilty of a misdemeanor and on conviction is subject to:

(1) For a first offense, a fine not exceeding \$1,000 or imprisonment not exceeding 90 days or both; and

(2) For a second or subsequent offense, a fine not exceeding \$2,500 or imprisonment not exceeding 1 year or both.

(B) FOR THE PURPOSE OF SECOND OR SUBSEQUENT OFFENDER PENALTIES PROVIDED UNDER SUBSECTION (A)(2) OF THIS SECTION, A PRIOR CONVICTION UNDER § 4-509 OF THE FAMILY LAW ARTICLE SHALL BE CONSIDERED A CONVICTION UNDER THIS SECTION.

[(b)] (C) A law enforcement officer shall arrest with or without a warrant and take into custody an individual who the officer has probable cause to believe is in violation of an interim peace order, temporary peace order, or final peace order in effect at the time of the violation.

Article – Family Law

4-509.

(a) A person who fails to comply with the relief granted in an interim protective order under § 4-504.1(c)(1), (2), (3), (4)(i), (7), or (8) of this subtitle, a temporary protective order under § 4-505(a)(2)(i), (ii), (iii), (iv), (v), or (viii) of this subtitle, or a final protective order under § 4-506(d)(1), (2), (3), (4), or (5), or (f) of this subtitle is guilty of a misdemeanor and on conviction is subject, for each offense, to:

(1) for a first offense, a fine not exceeding \$1,000 or imprisonment not exceeding 90 days or both; and

(2) for a second or subsequent offense, a fine not exceeding \$2,500 or imprisonment not exceeding 1 year or both.

(B) FOR THE PURPOSE OF SECOND OR SUBSEQUENT OFFENDER PENALTIES PROVIDED UNDER SUBSECTION (A)(2) OF THIS SECTION, A PRIOR CONVICTION UNDER § 3-1508 OF THE COURTS ARTICLE SHALL BE CONSIDERED A CONVICTION UNDER THIS SECTION.

[(b)] (C) An officer shall arrest with or without a warrant and take into custody a person who the officer has probable cause to believe is in violation of an interim, temporary, or final protective order in effect at the time of the violation.

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

Approved by the Governor, April 14, 2014.