

HOUSE BILL 227

D4

5lr1004

By: **Delegates Angel, Atterbeary, B. Barnes, Barve, Branch, Campos, Carter, Clippinger, Davis, Dumais, Folden, Fraser-Hidalgo, Frush, Glenn, Hayes, Haynes, Hill, Jackson, Jalisi, Kaiser, Kelly, Kipke, McComas, McCray, McIntosh, Moon, Morales, Morhaim, Oaks, Sample-Hughes, Smith, Tarlau, Vaughn, Walker, A. Washington, M. Washington, P. Young, and Zucker**

Introduced and read first time: February 2, 2015

Assigned to: Judiciary

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 of
4 law relating to domestic violence to include harassment, trespass, and malicious
5 destruction of property under certain provisions of law under certain circumstances;
6 and generally 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 (2012 Replacement Volume and 2014 Supplement)

12 BY repealing and reenacting, with amendments,
13 Article – Family Law
14 Section 4–501(b)
15 Annotated Code of Maryland
16 (2012 Replacement Volume and 2014 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
18 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.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

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

5 (iii) assault in any degree;

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

8 (v) false imprisonment; [or]

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

10 (VII) HARASSMENT UNDER § 3–803 OF THE CRIMINAL LAW
11 ARTICLE IF THE PERSON ELIGIBLE FOR RELIEF HAS NOT RESIDED WITH THE
12 RESPONDENT FOR AT LEAST 7 DAYS BEFORE THE FILING OF THE PETITION;

13 (VIII) TRESPASS UNDER TITLE 6, SUBTITLE 4 OF THE CRIMINAL
14 LAW ARTICLE IF THE PERSON ELIGIBLE FOR RELIEF HAS NOT RESIDED WITH THE
15 RESPONDENT FOR AT LEAST 7 DAYS BEFORE THE FILING OF THE PETITION; OR

16 (IX) MALICIOUS DESTRUCTION OF PROPERTY UNDER §
17 6–301 OF THE CRIMINAL LAW ARTICLE IF THE PERSON ELIGIBLE FOR RELIEF HAS
18 NOT RESIDED WITH THE RESPONDENT FOR AT LEAST 7 DAYS BEFORE THE FILING OF
19 THE PETITION.

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

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

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 October 1, 2015.