

HB0250/402319/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 250

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Family Law – Final Protective Order” and substitute “Peace Orders and Protective Orders”; in line 4, after “a” insert “final peace order or”; in line 7, after “of” insert “final peace orders and”; and after line 8, insert:

“BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 3-1506

Annotated Code of Maryland

(2013 Replacement Volume and 2019 Supplement)”.

AMENDMENT NO. 2

On page 1, after line 15, insert:

“Article – Courts and Judicial Proceedings

3–1506.

(a) (1) A peace order may be modified or rescinded during the term of the peace order after:

(i) Giving notice to the petitioner and the respondent; and

(ii) A hearing.

(Over)

HB0250/402319/1 House Judiciary Committee
Amendments to HB 250
Page 2 of 2

(2) For good cause shown, a judge may extend the term of the peace order for 6 months beyond the period specified in § 3–1505(f) of this subtitle, after:

(i) Giving notice to the petitioner and the respondent; and

(ii) A hearing.

(3) (i) If, during the term of a final peace order, a petitioner files a motion to extend the term of the order under paragraph (2) of this subsection, the court shall hold a hearing on the motion within 30 days after the motion is filed.

(ii) If the hearing on the motion is [scheduled after] **NOT HELD BEFORE** the original expiration date of the final peace order, [the court shall extend the order and keep the] **THE ORDER SHALL BE AUTOMATICALLY EXTENDED AND THE terms of the order SHALL REMAIN** in full force and effect until the hearing on the motion.

(b) (1) If a District Court judge grants or denies relief under a petition filed under this subtitle, a respondent or a petitioner may appeal to the circuit court for the county where the District Court is located.

(2) An appeal taken under this subsection to the circuit court shall be heard de novo in the circuit court.

(3) (i) If an appeal is filed under this subsection, the District Court judgment shall remain in effect until superseded by a judgment of the circuit court.

(ii) Unless the circuit court orders otherwise, modification or enforcement of the District Court order shall be by the District Court.”.