

SB0846/378078/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 846
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Orders” insert “and Protective Orders”; and in the same line, after “Violence” insert “and Study”; in line 8, strike “employee” and substitute “employer”; in line 10, after “circumstances;” insert “requiring the Department of Legislative Services to study and make recommendations on the procedures for obtaining and the effectiveness of peace orders and protective orders issued in the State; requiring the Department to solicit certain input; requiring the Department to report its findings and recommendations to the Governor and the General Assembly on or before a certain date;”; and in line 12, after “orders” insert “and protective orders”.

AMENDMENT NO. 2

On page 10, in line 6, strike the brackets; in the same line, in each instance, strike the comma; and strike beginning with “OR” in line 6 down through “EMPLOYEE” in line 7.

On page 16, after line 18, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) The Department of Legislative Services shall study the process for obtaining and the effectiveness of issued peace orders and protective orders in the State.

(b) In conducting the study, the Department shall:

(1) examine the process for procuring a peace order or a protective order, specifically evaluating:

(Over)

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(i) whether individuals eligible for relief are discouraged from filing a petition for a peace order or protective order because of procedural difficulties; and

(ii) whether individuals eligible for relief have an adequate understanding of the process, including an understanding of the differences between a peace order and a protective order;

(2) assess the effectiveness of peace orders and protective orders in protecting individuals, paying special attention to:

(i) the rate of compliance by respondents with peace orders and protective orders;

(ii) the effectiveness of the remedies available to an individual granted a peace order or a protective order when a respondent does not comply with the order; and

(iii) whether the issuance of a peace order or a protective order is effective in preventing the reoccurrence of the conduct that led to the issuance of the order; and

(3) make recommendations regarding potential statutory changes to improve the effectiveness of peace orders and protective orders in the State, paying special attention to whether:

(i) combining peace orders and protective orders into a single process would reduce confusion or increase the effectiveness of an order issued by the court prohibiting contact with an individual; and

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(ii) current prohibitions on stalking, assault, and harassment could be better enforced to achieve the results sought by peace orders and protective orders.

(c) In conducting the study, the Department shall solicit input from:

(1) academic experts;

(2) individuals who have previously taken part in peace order and protective order proceedings; and

(3) advocates on behalf of petitioners and respondents in peace order and protective order proceedings.

(d) On or before December 31, 2020, the Department shall report its findings and recommendations to the Governor and, in accordance with § 2-1257 of the State Government Article, the General Assembly.”;

in line 19, strike “2.” and substitute “3.”; in the same line, after “That” insert “Section 1 of this Act shall take effect October 1, 2020.”

SECTION 4. AND BE IT FURTHER ENACTED, That, except as provided in Section 3 of this Act.”;

and in line 20, strike “October” and substitute “July”.