

# SENATE BILL 587

D4

11r2170

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By: **Senator Ramirez**

Introduced and read first time: February 4, 2011

Assigned to: Judicial Proceedings

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## A BILL ENTITLED

1 AN ACT concerning

2 **Protective Order Violations – Mandatory Mental Health Evaluation**

3 FOR the purpose of requiring the court to order a person charged with a violation of an  
4 interim, a temporary, or a final protective order to undergo a mental health  
5 evaluation; and generally relating to protective orders.

6 BY repealing and reenacting, with amendments,  
7 Article – Family Law  
8 Section 4–509  
9 Annotated Code of Maryland  
10 (2006 Replacement Volume and 2010 Supplement)

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

13 **Article – Family Law**

14 4–509.

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

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

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

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

4           **(C)    THE COURT SHALL ORDER A PERSON CHARGED WITH A VIOLATION**  
5 **OF A PROTECTIVE ORDER UNDER THIS SECTION TO UNDERGO A MENTAL**  
6 **HEALTH EVALUATION.**

7           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
8 October 1, 2011.