



Maryland Network Against Domestic Violence

2/22/12

2012 Legislative Agenda DOMESTIC VIOLENCE LEGISLATION

NOTE: bills are included that the MNADV has reviewed and taken a position on as of 2/22/12

BILLS SUPPORTED BY MNADV **MNADV Priority Legislation**

HB 1074/SB 612 ▪ Criminal Law – First Degree Assault - Strangulation

Lead House sponsor: Delegate Kathleen Dumais

Lead Senate sponsor: Senator Jamie Raskin and Senator Nancy Jacobs

The proposed legislation would add strangulation to first degree, felony assault.

Hearings:

HB 1074 – House Judiciary Committee -

SB 612 – Senate Judicial Proceedings Committee – March 13, 2012, 1 pm

HB 1146/SB 647 ▪ Domestically Related Crimes - Reporting

Lead House sponsor: Delegate Kathleen Dumais

Lead Senate sponsor: Senator Victor Ramirez

This legislation would require that if a defendant is convicted of a crime or receives a probation before judgment, on the request of a state’s attorney, the court shall determine whether a crime is domestically related. If the court determines that it is domestically related, that finding shall become part of the court record and reported to the Criminal Justice Information System Central Repository. A “domestically related crime” is a crime committed by a defendant against a victim who is eligible for relief under a protective order or who had a sexual relationship with the defendant within 12 months before the commission of the crime.

Hearings:

HB 1146 – House Judiciary Committee – February 23, 2012, 1 pm

SB 647 – Senate Judicial Proceedings Committee – March 6, 2012, 1 pm

OTHER BILLS SUPPORTED BY MNADV

HB 8/SB 175 ▪ Crimes – Electronic Communication – Harassment

Lead House sponsor: Delegate Mary Washington

Lead Senate sponsor: Senator Jamie Raskin

The proposed legislation would prohibit the use of “electronic communication” with the intent to harass and establish penalties for violations.

Hearings:

↑HB 8 – House Judiciary Committee – January 19, 2012, 1 pm. *Favorable with amendments* on February 20, 2012

SB 175 – Senate Judicial Proceedings Committee – February 2, 2012, 1 pm

HB 9 ▪ Education – Children and Youth – Reporting of Information Concerning Student Health, Well-Being and Growth

Lead House sponsor: Delegate Carolyn Howard

The proposed legislation would require each county superintendent of schools and the Department of Education to report specific information annually, including “the implementation of age-appropriate lessons on dating violence in the health education curriculum in the county.”

Hearing: House Ways and Means Committee – February 23, 2012, 1 pm

HB 17/SB 223 ▪ Crimes – Elder Abuse or Neglect – Increased Penalties and Restrictions on Pretrial Release

Lead House sponsor: Delegate Cheryl Glenn

Lead Senate sponsor: Senator Lisa Gladden

The proposed legislation would alter the penalties for the crime of abuse or neglect of a vulnerable adult and prohibit pretrial release of a defendant charged with causing abuse or neglect of a vulnerable adult in the first or second degree or authorizing pretrial release with special conditions.

Hearings:

↓HB 17 – House Judiciary Committee – January 17, 2012, 1 pm. Received *unfavorable report* 12-7 on February 2, 2012.

SB 223 – Senate Judicial Proceedings Committee – February 16, 2012, 1 pm.

HB 168/SB 277 ▪ Human Relations – Housing Discrimination – Source of Income

Lead House sponsor: Delegate Stephen Lafferty

Lead Senate sponsor: Senator Jamie Raskin

This legislation would prohibit landlords from denying housing to otherwise qualified candidates simply because of the applicant’s legal source of income, such as child support, alimony, retirement benefits, and housing vouchers.

Hearings:

HB 168 – House Environmental Matters Committee – February 9, 2012, 1 pm.

SB 277 – Senate Judicial Proceedings Committee – February 15, 2012, 1pm.

HB 453/SB 645 ▪ Courts and Proceedings – Criminal Injuries Compensation Fund – Court Costs

Lead House Sponsor: Delegate Doyle Niemann

Lead Senate sponsor: Senator Victor Ramirez

This legislation would impose certain court costs if a defendant is sentenced to probation before judgment or pleads nolo contendere to a certain crime or offense. Would increase funds for the State Victims of Crime Fund, the Victim and Witness Protection and Relocation Fund, and the Criminal Injuries Compensation Fund.

Hearings:

HB 453 - House Judiciary Committee – March 6, 2012, 1 pm

SB 645 - Senate Judicial Proceedings Committee – March 1, 2012, 1 pm

HB 664 ▪ Crimes – Committing a Crime of Violence in Presence of a Minor

Lead House sponsor: Delegate Luis Simmons

This legislation would prohibit a person from committing a crime of violence when the person knows or reasonably should know that a minor is present. Establishes penalties and sentencing.

The MNADV supports in concept, but there are drafting issues that need to be addressed.

Hearing: House Judiciary Committee – March 13, 2012, 1 pm.

HB 766/SB 572 ▪ State Government – Commemorative Days – Crime Victims and Advocates

Lead House sponsor: Delegate Joseph Vallario

Lead Senate sponsor: Senator James Rosapepe

This legislation would require the Governor to proclaim April 3 as Crime Victim and Advocate Commemorative Day to honor the individuals in the state who have become crime victims and the advocates who serve those victims.

Hearings:

HB 766 – House Health and Government Operations Committee – February 29, 2012, 1 pm

SB 572 - Senate Education, Health, and Environmental Affairs -

HB 769/SB 291 ▪ Unemployment Insurance – Coverage – Victims of Domestic Violence

Lead House sponsor: Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

Lead Senate sponsor: Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)

This legislation would allow a claimant for unemployment insurance to assert they left the employment for good cause if it is directly attributable to the individual's or individual's immediate family member being a victim of domestic violence.

Hearings:

HB 769 – House Economic Matters Committee – February 29, 1 pm

SB 291 - Senate Finance Committee – February 21, 2012, 1 pm

HB 883/SB 561 ▪ Family Law – Protective Orders – Additional Relief

Lead House sponsor: Delegate Glen Glass

Lead Senate sponsor: Senator Jennie Forehand

This legislation would authorize a judge in a final protective order to order a respondent to remain a specified distance away from the victim's residence, place of employment, school, or temporary residence.

Hearings:

HB 883 – House Judiciary Committee – February 23, 2012, 1 pm.

SB 561 - Senate Judicial Proceedings Committee – March 6, 2012, 1 pm.

HB 971/SB 462 ▪ Peace Order or Protective Order Petition – Respondent’s Address

Lead Senate sponsor: Chair, Anne Arundel County Senators

Lead House sponsor: Delegate Kathleen Dumais

This legislation would include a respondent’s home or business address, if known, on a protective or peace order petition.

Hearings:

HB 971- House Judiciary Committee – February 23, 2012, 1 pm

SB 462 - Senate Judicial Proceedings Committee – March 6, 2012, 1 pm

HB 1110/SB 863 ▪ Public Schools – Dating Violence – Kristen Marie Mitchell Law

Lead House sponsor: Delegate Benjamin Kramer

Lead Senate sponsor: Senator Roger Manno

This legislation would add dating violence to “bullying, harassment, or intimidation.” It would require reporting standards and forms, development and implementation of a model policy, procedures for reporting, and the development of educational programs.

Hearings:

HB 1110 – House Ways and Means Committee -

SB 863 – Senate Education, Health, and Environmental Affairs Committee – March 1, 2012, 1 pm.

HB 1160 ▪ Family Law – Temporary Peace and Protective Orders - Duration

Lead House sponsor: Charles County Delegation

This legislation would extend the duration of a temporary peace order or protective order if the court is closed on the day on which the temporary peace or protective order is due to expire. The temporary peace or protective order shall be effective until the next day on which the court is open.

Hearing – House Judiciary Committee – February 23, 2012, 1 pm.

HB 1165 ▪ Commission on Child Custody Decision Making

Lead House sponsor: Delegate Kathleen Dumais

This legislation would establish a Commission on Child Custody Decision Making.

Hearing: House Judiciary Committee – February 23, 2012, 1 pm.

HB 1282/SB 970 ▪ Creation of a State Debt – Prince George’s County – Family Crisis Center Security System

Lead House sponsor: Delegate Michael Summers

Lead Senate sponsor: Senator Victor Ramirez

This legislation would authorize funding for a security system for the Family Crisis Center in Prince George’s County.

Hearings:
HB 1282 –
SB 970 – Senate Budget and Taxation Committee -

Also see House cross-files

SB 107 ▪ Criminal Law – Electronic Harassment – Penalties

Lead Senate sponsors: Senator James Brochin and Senator Douglas Peters

This legislation would prohibit a person from making a an electronic communication with the intent to terrify, intimidate, or harass another person or place another person in reasonable fear of injury or physical harm.

Hearing: Senate Judicial Proceedings Committee – February 2, 2012, 1 pm

SB 122 ▪ Courts and Judicial Proceedings – Crime Victims and Witnesses Funds – Court Costs

Lead Senate sponsor: Chair, Judicial Proceedings Committee (By Request – Departmental – Public Safety and Correctional Services)

This legislation would increase certain costs imposed by a circuit court and the District Court for certain crimes and offenses. The funds would be deposited into the State Victims of Crime Fund, the Victim and Witness Protection and Relocation Fund, and the Criminal Injuries Compensation Fund.

Hearing: Senate Judicial Proceedings Committee – February 2, 2012, 1 pm

SB 168 ▪ Criminal Procedure – Victim’s Compensation – Temporary Lodging for Domestic Violence Victims

Lead Senate sponsor: Senator James Brochin

This legislation would make domestic violence victims eligible for monetary awards for temporary lodging for up to 14 days from the Criminal Injuries Compensation Fund.

Hearing: Senate Judicial Proceedings Committee – February 8, 2012, 1 pm

SB 359 ▪ Domestic Violence – Persons Eligible for Relief and Orders to Vacate Home

Lead Senate sponsor: Senator Christopher Shank

This legislation would expand the persons eligible for relief under a protective order to include individuals involved in intimate dating relationships or individuals who have had a sexual relationship with the respondent. The bill would also expand the instances in which a final protective order could order the respondent to vacate the home and award temporary use and possession of the home.

Hearing: Senate Judicial Proceedings Committee – February 15, 2012, 1 pm

SB 411 ▪ Criminal Procedure – Maryland Victim Information and Notification Everyday (VINE) Services Contact Information

Lead Senate sponsor: Senator J.B. Jennings

This legislation would require that correspondence or documents provided by the District Court to a victim or the victim's representative include information about VINE services.

Hearing: Senate Judicial Proceedings Committee – February 22, 2012, 1 pm.

BILLS OPPOSED BY MNADV

HB 45 ▪ Handgun Permits – Qualifications – Presumption and Burden of Proof

Lead House sponsor: Delegate Michael Smigiel

This legislation would repeal the requirement that the state police find that an applicant for a handgun permit has a good and substantial reason to wear, carry or transport a handgun. Would transfer the burden of proof that an applicant does not have a substantial reason to the state police.

Hearing: House Judiciary Committee – February 21, 2012, 1 pm.

HB 95 ▪ Criminal Procedure – District Court Commissioners – Arrest Warrants

Lead House sponsors: Delegate Curt Anderson and Delegate Michael McDermott

This legislation would prohibit a District Court Commissioner from issuing an arrest warrant based solely on an application for statement of charges filed by a person other than a law enforcement officer or state's attorney.

Hearing: House Judiciary Committee – January 31, 2012, 1 pm.

HB 119 ▪ Criminal Procedure – Misdemeanors – Citations

Lead House sponsor: Delegate Michael McDermott

This legislation would expand the authority of a law enforcement officer to charge a person by citation to include any misdemeanor, except specified crimes of violence.

Hearing: House Judiciary Committee – January 31, 2012, 1 pm.

HB 164/SB 216 ▪ Family Law – Marriage License and Ceremonies

Lead House sponsor: Delegate Sandy Rosenberg

Lead Senate sponsor: Senator Delores Kelley

This legislation would repeal the requirement that a marriage license be issued by the clerk of the court in the county where the marriage is performed.

Hearings:

HB 164 - House Judiciary Committee – February 2, 2012, 1 pm. Hearing cancelled.

↓SB 216 – Senate Judicial Proceedings Committee – February 9, 2012, 1 pm. Received an unfavorable report in JPR, 9-2.

HB 488 ▪ Public Safety – Handgun Permits – Repeal of Finding Requirements

Lead House sponsor: Delegate Rick Impallaria

This legislation would repeal the requirement that the state police find that a person has a good and substantial reason to wear, carry, or transport a handgun before issuing a handgun permit to the person.

Hearing: House Judiciary Committee: February 21, 2012, 1 pm.

HB 652/SB 667 ▪ Criminal Records – Shielding – Nonviolent Convictions

Lead House sponsor: Delegate Jeff Waldstreicher

Lead Senate sponsor: Senator Verna Jones-Rodwell (By Request – Task Force on Prisoner Reentry)

This legislation would require that court and police records relating to a conviction be shielded automatically at a specified time, depending on whether the conviction was for a misdemeanor (3 years) or a felony (5 years).

Hearings:

HB 652 – House Judiciary Committee – March 1, 2012, 1 pm

SB 667 – Senate Judicial Proceedings Committee – March 1, 2012, 1 pm

For further information about the 2012 Legislative Agenda, contact:

Maryland Network Against Domestic Violence

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For information on bills, legislators, synopses, budget, etc.:

Website: <http://mlis.state.md.us> or call Legislative Services at 301-970-5200 or 410-946-5200

→ **NOTE: Committee votes** are now available online on the Maryland General Assembly website.

Look under the Documents section at the bottom of the bill information page.

When a committee vote is available a link is provided to the vote record in pdf format.

The Maryland Network Against Domestic Violence (MNADV) is the state domestic violence coalition that brings together victim service providers, allied professionals, and concerned individuals for the common purpose of reducing intimate partner and family violence and its harmful effects on our citizens. The Network accomplishes this goal by providing education, training, resources, and advocacy to advance victim safety and abuser accountability.