



# Maryland Network Against Domestic Violence

UPDATED 3/23/15

## 2015 DOMESTIC VIOLENCE LEGISLATIVE AGENDA

### MNADV Priority Legislation

#### **HB 225/SB 269 Domestic Violence – Additional Relief**

Primary House Sponsor: Delegate Kathleen Dumais

Primary Senate Sponsor: Senator Susan Lee

This bill expands the relief available in a final protective order by authorizing a judge to order *any other relief* the judge deems to be appropriate under the circumstances to protect a person eligible for relief. This change in the law would provide greater protection and flexibility than is currently available and address the individual needs and circumstances of victims and their families.

Hearing: Wednesday, February 18, 2015 - Senate Judicial Proceedings Committee

Hearing: Friday, February 27, 2015 – House Judiciary Committee

*Passed House with amendments; passed JPR with amendments. However, the amendments are different.*

#### **HB 224/SB 315 Domestic Violence – 2-Year Protective Order**

Primary House Sponsor: Delegate Kathleen Dumais

Primary Senate Sponsor: Senator Victor Ramirez

Clarifies that extensions of protective orders applies to consent orders.

Hearing: Wednesday, February 18, 2015 - Senate Judicial Proceedings Committee

Hearing: Friday, February 27, 2015 – House Judiciary Committee

*Passed House with amendments; Passed Senate with same amendments.*

#### **HB 606/SB 477 Domestic Violence – Persons Eligible for Relief**

Primary House Sponsor: Delegate Kathleen Dumais

Primary Senate Sponsor: Senator Victor Ramirez

This bill expands the “persons eligible for relief” in the protective order statute to include cases involving parties who had a consensual or non-consensual sexual relationship. This would provide more protection for victims/survivors of sex crimes and dating violence by moving these cases from the peace order to the protective order.

Hearing: Wednesday, February 18, 2015 - Senate Judicial Proceedings Committee

Hearing: Friday, February 27, 2015 – House Judiciary Committee

*No vote yet on House bill; passed Senate with amendments.*

## **Other Domestic Violence Bills of Interest**

### **HB 227/SB \_\_\_\_\_ Family Law – Domestic Violence – Definition of Abuse**

Primary House Sponsor: Delegate Angela Angel

Primary Senate Sponsor:

This bill alters the definition of “abuse” in the protective order to include harassment, trespass, and malicious destruction of property if the person eligible for relief has not resided with the respondent for at least 7 days before the filing of the petition. *Note: sponsor is offering amendments.*

Hearing: Friday, February 27, 2015 – House Judiciary Committee

*No vote yet in Committee.*

### **HB 263/SB \_\_\_\_\_ Domestic Violence – Permanent Protective Orders – Conspiracy or Solicitation to Commit Murder**

Primary House Sponsor: Delegate Geraldine Valentino-Smith

Primary Senate Sponsor:

This bill would expand the circumstances under which a court is required to issue a permanent final protective order to include the conviction of an individual for conspiracy or solicitation to commit murder.

Hearing: Friday, February 27, 2015 – House Judiciary Committee

*Passed House.*

\*\*\*

### **SB 270/HB 390 Protective Order and Peace Order Petitions – Maryland Residents**

Primary Senate Sponsor: Senator Susan Lee

Primary House Sponsor: Delegate Vanessa Atterbeary

This bill authorizes the filing of a protective order petition if the abuse is alleged to have occurred in the State or if the person eligible for relief is a resident of the State; and authorizes the filing of a peace order petition if a specified act is alleged to have occurred in the State or if the petitioner is a resident of the State.

Hearing: Wednesday, February 18, 2015 - Senate Judicial Proceedings Committee

Hearing: Friday, February 27, 2015 – House Judiciary Committee

*Passed House; no vote yet in Senate JPR.*

### **SB 277/HB 807 Family Law – Protective Orders – Additional Relief**

Primary Senate Sponsor: Senator Bob Cassilly

Primary House Sponsor: Delegate Glen Glass

This bill authorizes a judge in a final protective order to order the respondent to remain a specified distance away from the residence, place of employment, school, or temporary residence of a person eligible for relief. *Note: this bill only relates to distance and is narrower than HB 225/SB 269 Domestic Violence – Additional Relief.*

Hearing: Wednesday, February 18, 2015 - Senate Judicial Proceedings Committee

Hearing: Friday, February 27, 2015 – House Judiciary Committee

*Passed House; no vote yet in JPR.*

**SB 530/HB 857 Criminal Procedure – Firearms – Transfer**

Primary Senate Sponsor: Senator Jamie Raskin  
Primary House Sponsor: Delegate Kathleen Dumais

This bill would require the court to order a person who is convicted of a crime of violence that is a misdemeanor “domestically related crime” to transfer all firearms owned by the person or in the person’s possession. The transfer of firearms must be made within 24 hours of the conviction to a state or local law enforcement official or to a federally licensed firearms dealer with notification to the court.

Hearing: Thursday, March 12, 2015 – Senate Judicial Proceedings Committee  
Hearing: Tuesday, March 10, 2015 – House Judiciary Committee  
*Unfavorable report in House Judiciary; no vote yet in JPR.*

**Other Related Bills of Interest**

**HB 165/SB \_\_\_\_\_ Family Law – Grounds for Limited Divorce**

Primary House Sponsor: Delegate Kathleen Dumais  
Primary Senate Sponsor:

This bill would change the grounds for a limited divorce to enable people who are living separate and apart to file for a limited divorce. Current law requires that the separation of the parties be voluntary and without a reasonable expectation of reconciliation.

Hearing: Thursday, February 12, 2015 – House Judiciary Committee  
*Passed House.*

**HB 1083/SB 550 Legal Decision Making and Parenting Time**

Primary House Sponsor: Delegate Kathleen Dumais  
Primary Senate Sponsor: Senator Susan Lee

This bill is based on the recommendations of the Commission on Child Custody Decision-Making, which issued its final report in December 2014. The bill would codify in statute a list of factors which the court must consider in making custody and visitation decisions in the “best interest of the child.” There would be no presumption of joint custody, and each custody case would be evaluated based on the particular facts and circumstances of the case.

Hearing: Thursday, March 5, 2015 – House Judiciary Committee  
Hearing: Tuesday, March 3, 2015 – Senate Judicial Proceedings Committee  
*No vote yet.*

\*\*\*

**SB 40/HB 385 Labor and Employment – Maryland Healthy Working Families Act**

Primary Senate Sponsor: Senator Catherine Pugh  
Primary House Sponsor: Delegate Luke Clippinger

This bill would allow workers to earn annual paid sick and safe days, up to seven days per year. The safe time component requires employers to allow victims of domestic abuse or sexual assault to use their accrued paid sick leave to care for their health after these incidents or to seek legal protections or new housing. A very important bill for working families since 41% of American workers – and 80% of low wage workers – do not earn paid sick days.

Hearing: Tuesday, February 3, 2015 – Senate Finance Committee  
Hearing: Friday, February 13, 2015 - House Judiciary Committee  
*No vote yet.*

## **SB 74/HB 739 Task Force to Study Maternal Mental Health**

Primary Senate Sponsor: Senator Brian Feldman

Primary House Sponsor: Delegate Ariana Kelly

This bill would establish a Task Force to Study Maternal Mental Health. Because women who have had a history of physical abuse during pregnancy or the year prior to pregnancy reported nearly three times the prevalence of post-partum depression, domestic violence should be an important component of this study and the MNADV has recommended that a representative from the domestic violence community be included on the Task Force.

Hearing: Wednesday, February 4, 2015 – Senate Finance Committee

Hearing: Tuesday, February 24, 2015 – Health and Government Operations Committee

*Passed House with amendments; passed Senate with same amendments.*

## **Bills to Oppose**

### **SB 650/HB 888 Family Law – Rebuttable Presumption of Joint Custody**

Primary Senate Sponsor: Senator Anthony Muse

Primary House Sponsor: Delegate Jill Carter

This bill would establish that joint legal custody or shared physical custody are presumed to be in the best interest of the child. However, in hotly contested custody disputes, “equal parenting time” and “joint legal custody” may be in direct opposition to the best interest of the child. Forcing this model in certain families will specifically hinder the healthy development of children who must deal with parents who are constantly engaged in conflict. In cases of domestic violence, joint legal and shared physical custody is nearly always inappropriate.

Hearing: Thursday, March 5, 2015 – House Judiciary Committee

Hearing: Tuesday, March 3, 2015 – Senate Judicial Proceedings Committee

*No vote yet.*

\*\*\*

#### **For further information about the 2015 Legislative Agenda, contact:**

##### **Maryland Network Against Domestic Violence**

4601 Presidents Drive, Suite 370, Lanham, MD 20706

Tel: 301-429-3601 ♦ Fax: 301-429-3605 ♦ E-mail: [info@mnadv.org](mailto:info@mnadv.org) ♦ Website: [www.mnadv.org](http://www.mnadv.org)

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

**NEW Website:** <http://mgaleg.maryland.gov> 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.

**Committee hearings and general sessions** may be accessed online through audio and/or video.

Check the Maryland General Assembly website for the headphone or video camera icon.

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.