

The Governor's Family Violence Council

Proposed 2013 Legislative Agenda DOMESTIC VIOLENCE LEGISLATION

BILLS SUPPORTED BY THE FVC THAT PASSED

HB 294/SB 281 – Firearm Safety Act of 2013

Altering the authorization for a person to wear, carry, or transport a handgun to be within certain limitations; designate certain firearms as assault weapons, and prohibit, with certain exceptions, a person from transporting and assault weapon into the State or possessing, selling, offering to sell, transferring, purchasing, or receiving an assault weapon.

HB 838/SB 640 – Civil Cases – Maryland Legal Services Fund – Surcharges – Repeal of Termination

Repealing the termination date of certain provisions of law altering certain surcharges on certain fees, charges, and costs in certain civil cases and requiring a certain informational budget to be prepared for the Maryland Legal Services Corporation and submitted to the General Assembly; and generally relating to the Maryland Legal Services Corporation Fund.

HB 1303/SB 809 – Maryland Legal Services Corporation Funding – Abandoned Property Funds

Requiring the Comptroller to distribute specified abandoned property funds each year to the Maryland Legal Services Corporation Fund and increases the amount of funds that the Comptroller is required to contribute from \$500,000 to \$3,000,000.

SB 1001 – Family Law – Protective Orders – Notification of Service – Sunset Extension -

Extending the termination date of certain provisions of law that provide for notice of the service on a respondent of certain protective orders; and generally relating to notification of the service of a protective order.

BILLS SUPPORTED BY THE FVC THAT DID NOT PASS

HB 200 – Criminal Law – First Degree Assault – Strangulation

Prohibiting a person from committing an assault by applying pressure on the throat or neck of another person in a certain manner; establishing that a person who violates this Act is guilty of the felony of assault in the first degree and on conviction is subject to a certain penalty; and generally relating to first degree assault.

HB 478/SB 861 – Crimes – Committing a Crime of Violence in the Presence of a Minor

Prohibiting a person from committing a certain crime of violence when the person knows or reasonably should know that a minor of a certain age is present in a residence; establishing certain circumstances under which a minor is present; establishing a certain enhanced penalty for a violation of this Act, etc.

HB 853/SB 417 – Family Law – Domestic Violence – Permanent Final Protective Orders

Requiring a court to issue a permanent final protective order against an individual who is sentenced to, instead of who served, a certain term of imprisonment for certain crimes under certain circumstances; adding the crime of assault in the second degree to the list of crimes, the commission of which subjects an individual to the issuance of a permanent final protective order against the individual under certain circumstances; and generally relating to domestic violence and permanent final protective orders.

HB 892/SB 731 – Family Law – Protective Orders – Additional Relief

Authorizing 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.

HB 1037/SB 630 – Evidence – Testimony by Spouse – Violation of Protective Order

Establishing that the spouse of a person on trial for a violation of a protective order may be compelled to testify as an adverse witness if the spouse was the petitioner in the protective order proceeding.

HB 1230/SB 490 – Domestic Violence – Persons Eligible for Relief and Orders to Vacate Home

Altering the definition of "person eligible for relief" to include an individual involved in an intimate dating relationship with the respondent and an individual who has had a consensual or nonconsensual sexual relationship with the respondent, as well as expands the instances in which a final protective order may order the respondent to vacate the home immediately.

BILLS THE FVC OPPOSED THAT DID NOT PASS

HB 154 – Criminal Procedure – District Court – Stay of Sentence Pending Appeal

Requiring the District Court, if a person is convicted of a crime in District Court, to stay any sentence imposed that includes an unserved, nonsuspended period of imprisonment until the time for filing an appeal has expired and, if an appeal is filed, during the pendency of the appeal under specified circumstances; etc.