

# HOUSE BILL 533

D4, E2

5lr1324  
CF SB 273

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By: **Delegate Crutchfield**

Introduced and read first time: January 22, 2025

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Peace Orders and Protective Orders – Military Protection Orders**

3 FOR the purpose of authorizing a judge to consider whether a military protection order has  
4 been issued against a respondent when determining whether to grant a temporary  
5 peace order or a temporary protective order; requiring a law enforcement officer to  
6 notify a certain law enforcement agency that an individual may have violated a  
7 military protection order under certain circumstances; and generally relating to  
8 peace orders and protective orders.

9 BY repealing and reenacting, with amendments,  
10 Article – Courts and Judicial Proceedings  
11 Section 3–1501, 3–1504(a)(1), and 3–1508  
12 Annotated Code of Maryland  
13 (2020 Replacement Volume and 2024 Supplement)

14 BY repealing and reenacting, with amendments,  
15 Article – Family Law  
16 Section 4–501, 4–505(a)(1), and 4–509  
17 Annotated Code of Maryland  
18 (2019 Replacement Volume and 2024 Supplement)

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

21 **Article – Courts and Judicial Proceedings**

22 3–1501.

23 (a) In this subtitle the following words have the meanings indicated.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) "Commissioner" means a District Court commissioner appointed in  
2 accordance with Article IV, § 41G of the Maryland Constitution.

3 (c) "Court" means the District Court of Maryland.

4 (d) "Employee" means:

5 (1) An individual who is employed by an employer; or

6 (2) A volunteer or an independent contractor who performs services for an  
7 employer at the employer's workplace.

8 (e) (1) "Employer" means a person engaged in a business, an industry, a  
9 profession, a trade, or any other enterprise in the State.

10 (2) "Employer" includes a person that acts directly or indirectly in the  
11 interest of another employer with an employee.

12 (f) "Final peace order" means a peace order issued by a judge under § 3-1505 of  
13 this subtitle.

14 (g) "Interim peace order" means an order that a commissioner issues under this  
15 subtitle pending a hearing by a judge on a petition.

16 (H) "MILITARY PROTECTION ORDER" MEANS A PROTECTION ORDER ISSUED  
17 IN ACCORDANCE WITH 10 U.S.C. § 1567 BY A COMMANDING OFFICER AGAINST A  
18 PERSON UNDER THE OFFICER'S COMMAND IN:

19 (1) ANY BRANCH OF THE UNIFORMED SERVICES OF THE UNITED  
20 STATES;

21 (2) THE MARYLAND NATIONAL GUARD; OR

22 (3) THE NATIONAL GUARD OF ANY OTHER STATE.

23 [(h)] (I) "Petitioner" means an individual who files a petition under § 3-1503 of  
24 this subtitle.

25 [(i)] (J) "Residence" includes the yard, grounds, outbuildings, and common  
26 areas surrounding the residence.

27 [(j)] (K) "Respondent" means an individual alleged in a petition to have  
28 committed an act specified in § 3-1503(a) of this subtitle against a petitioner or a  
29 petitioner's employee.



1 ENFORCEMENT AGENCY THAT ENTERED THE MILITARY PROTECTION ORDER INTO  
2 THE DATABASE THAT THE SERVICE MEMBER MAY HAVE VIOLATED THE MILITARY  
3 PROTECTION ORDER.

4 **Article – Family Law**

5 4–501.

6 (a) In this subtitle the following words have the meanings indicated.

7 (b) (1) “Abuse” means any of the following acts:

8 (i) an act that causes serious bodily harm;

9 (ii) an act that places a person eligible for relief in fear of imminent  
10 serious bodily harm;

11 (iii) assault in any degree;

12 (iv) rape or sexual offense under § 3–303, § 3–304, § 3–307, or §  
13 3–308 of the Criminal Law Article or attempted rape or sexual offense in any degree;

14 (v) false imprisonment;

15 (vi) stalking under § 3–802 of the Criminal Law Article; or

16 (vii) revenge porn under § 3–809 of the Criminal Law Article.

17 (2) (i) If the person for whom relief is sought is a child, “abuse” may  
18 also include abuse of a child, as defined in Title 5, Subtitle 7 of this article.

19 (ii) Nothing in this subtitle shall be construed to prohibit reasonable  
20 punishment, including reasonable corporal punishment, in light of the age and condition of  
21 the child, from being performed by a parent or stepparent of the child.

22 (3) If the person for whom relief is sought is a vulnerable adult, “abuse”  
23 may also include abuse of a vulnerable adult, as defined in Title 14, Subtitle 1 of this article.

24 (c) “Child care provider” means a person that provides supervision and care for a  
25 minor child.

26 (d) “Cohabitant” means a person who has had a sexual relationship with the  
27 respondent and resided with the respondent in the home for a period of at least 90 days  
28 within 1 year before the filing of the petition.

29 (e) “Commissioner” means a District Court Commissioner appointed in  
30 accordance with Article IV, § 41G of the Maryland Constitution.

1 (f) "Court" means the District Court or a circuit court in this State.

2 (g) "Emergency family maintenance" means a monetary award given to or for a  
3 person eligible for relief to whom the respondent has a duty of support under this article  
4 based on:

5 (1) the financial needs of the person eligible for relief; and

6 (2) the resources available to the person eligible for relief and the  
7 respondent.

8 (h) "Executive Director" means the Executive Director of the Governor's Office of  
9 Crime Prevention and Policy.

10 (i) "Final protective order" means a protective order issued under § 4-506 of this  
11 subtitle.

12 (j) "Home" means the property in this State that:

13 (1) is the principal residence of a person eligible for relief; and

14 (2) is owned, rented, or leased by the person eligible for relief or respondent  
15 or, in a petition alleging child abuse or abuse of a vulnerable adult, an adult living in the  
16 home at the time of a proceeding under this subtitle.

17 (k) "Interim protective order" means an order that a Commissioner issues under  
18 this subtitle pending a hearing by a judge on a petition.

19 (l) "Local department" means the local department that has jurisdiction in the  
20 county:

21 (1) where the home is located; or

22 (2) if different, where the abuse is alleged to have taken place.

23 (m) **"MILITARY PROTECTION ORDER" MEANS A PROTECTION ORDER ISSUED**  
24 **IN ACCORDANCE WITH 10 U.S.C. § 1567 BY A COMMANDING OFFICER AGAINST A**  
25 **PERSON UNDER SUCH OFFICER'S COMMAND IN:**

26 **(1) ANY BRANCH OF THE UNIFORMED SERVICES OF THE UNITED**  
27 **STATES;**

28 **(2) THE MARYLAND NATIONAL GUARD; OR**

29 **(3) THE NATIONAL GUARD OF ANY OTHER STATE.**

- 1           **(N)** “Person eligible for relief” includes:
- 2                   (1) the current or former spouse of the respondent;
- 3                   (2) a cohabitant of the respondent;
- 4                   (3) a person related to the respondent by blood, marriage, or adoption;
- 5                   (4) a parent, stepparent, child, or stepchild of the respondent or the person  
6 eligible for relief who resides or resided with the respondent or person eligible for relief for  
7 at least 90 days within 1 year before the filing of the petition;
- 8                   (5) a vulnerable adult;
- 9                   (6) an individual who has a child in common with the respondent;
- 10                  (7) an individual who has had a sexual relationship with the respondent  
11 within 1 year before the filing of the petition; and
- 12                  (8) an individual who alleges that the respondent committed, within 6  
13 months before the filing of the petition, any of the following acts against the individual:
- 14                           (i) rape or a sexual offense under § 3–303, § 3–304, § 3–307, or §  
15 3–308 of the Criminal Law Article; or
- 16                           (ii) attempted rape or sexual offense in any degree.
- 17           ~~[(n)]~~ **(O)** (1) “Pet” means a domesticated animal.
- 18                   (2) “Pet” does not include livestock.
- 19           ~~[(o)]~~ **(P)** (1) “Petitioner” means an individual who files a petition.
- 20                   (2) “Petitioner” includes:
- 21                           (i) a person eligible for relief; or
- 22                           (ii) the following persons who may seek relief from abuse on behalf  
23 of a minor or vulnerable adult:
- 24                                   1. the State’s Attorney for the county where the child or  
25 vulnerable adult lives, or, if different, where the abuse is alleged to have taken place;
- 26                                   2. the department of social services that has jurisdiction in  
27 the county where the child or vulnerable adult lives, or, if different, where the abuse is  
28 alleged to have taken place;



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

3           (c)     Notwithstanding any other law, a conviction under this section may not merge  
4 with a conviction for any other crime based on the act establishing the violation of this  
5 section.

6           (d)     A sentence imposed under this section may be imposed separate from and  
7 consecutive to or concurrent with a sentence for any crime based on the act establishing  
8 the violation of this section.

9           (e)     For the purpose of second or subsequent offender penalties provided under  
10 subsection (b)(2) of this section, a prior conviction under § 3-1508 of the Courts Article shall  
11 be considered a conviction under this section.

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

15                   **(2)    IF AN OFFICER HAS PROBABLE CAUSE TO BELIEVE THAT AN**  
16 **INDIVIDUAL DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION IS A SERVICE**  
17 **MEMBER IN VIOLATION OF A MILITARY PROTECTION ORDER ENTERED INTO THE**  
18 **FEDERAL BUREAU OF INVESTIGATION'S NATIONAL CRIME INFORMATION CENTER**  
19 **DATABASE, THE OFFICER SHALL NOTIFY THE LAW ENFORCEMENT AGENCY THAT**  
20 **ENTERED THE MILITARY PROTECTION ORDER INTO THE DATABASE THAT THE**  
21 **SERVICE MEMBER MAY HAVE VIOLATED THE MILITARY PROTECTION ORDER.**

22           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
23 October 1, 2025.