



## **MSBA Bill Report 4B - Family Law**

**(2024.02.09)**

**February 9, 2024**

**MD - HB1019** [Mental Health Law - Petitions for Emergency Evaluation](#)

Last Action: Hearing 2/28 at 1:00 p.m. (Health and Government Operations) (February 9, 2024)

Primary Sponsor: Delegate Tiffany T. Alston (D)

Committees:

Health and Government Operations (House)

Judiciary (House)

Scheduled Hearing:

Health and Government Operations (House)

**Date:** February 28, 2024

**Time:** 1:00pm (EST)

**Location:** House Office Building, Room 240, Annapolis, MD

Summary:

Specifying that a petition for emergency evaluation is effective for 5 days after being endorsed by the court; authorizing a court, for good cause shown, to extend a petition for an additional 5 days; and authorizing peace officers to use reasonable and necessary force when executing a petition.

Statutes Amended:

10-623,

10-624 Article - Health - General

**MD - HB1045** [Family Law Child Support Multifamily Adjustment](#)

Last Action: Text - First - Family Law Child Support Multifamily Adjustment (February 7, 2024)

Primary Sponsor: Delegate Charlotte Crutchfield (D)

Committee: Judiciary (House)

Scheduled Hearing:

Judiciary (House)

**Date:** February 22, 2024

**Time:** 1:00pm (EST)

**Location:** House Office Building, Room 100, Annapolis, MD

Summary:

Altering the definition of "adjusted actual income" under the State child support guidelines by requiring the deduction, from actual income, of an allowance for support for each child in the parent's home for whom the parent owes a legal duty of support but who is not subject to a support order; requiring that the amount of a certain allowance be subtracted from a parent's actual income before the court determines the amount of a child support award; etc.

Cross-filed Bill: SB1011

Statutes Amended:

12-201,

12-202,

12-204 Article - Family Law

**MD - HB1047 Consumer Protection Self-Administered Sexual Assault Evidence Collection Kits**

Last Action: Text - First - Consumer Protection Self-Administered Sexual Assault Evidence Collection Kits (February 7, 2024)

Primary Sponsor: Delegate J. Sandy Bartlett (D)

Committee: Judiciary (House)

Scheduled Hearing:

Judiciary (House)

**Date:** February 20, 2024

**Time:** 1:00pm (EST)

**Location:** House Office Building, Room 100, Annapolis, MD

Summary:

Providing that a party in a criminal trial involving an allegation of a sexual crime may not introduce evidence that physical evidence of a sexual crime was obtained using certain materials; providing that selling, offering for sale, or distributing a certain self-administered sexual assault evidence collection kit is an unfair, deceptive, or abusive trade practice; establishing the Forensic Nurse Examiner Training Grant Program; and establishing the Forensic Nurse Examiner Training Grant Program Fund as a special, nonlapsing fund.

Cross-filed Bill: SB949

Statutes Amended:

10-925 Article - Courts and Judicial Proceedings

13-301,

14-4601 through 14-4604 Article - Commercial Law

**MD - HB1071 Family Law - Grandparent Visitation**

Last Action: Text - First - Family Law - Grandparent Visitation (February 7, 2024)

Primary Sponsor: Delegate Tiffany T. Alston (D)

Committee: Judiciary (House)

Scheduled Hearing:

Judiciary (House)

**Date:** February 22, 2024

**Time:** 1:00pm (EST)

**Location:** House Office Building, Room 100, Annapolis, MD

## Summary:

Providing that an equity court may grant visitation rights to a grandparent of a child if the court finds it to be in the best interest of the child, both the child's living parents consent, one of the child's living parents consents, both of the child's living parents are unable to consent, or certain exceptional circumstances exist.

**[MD - HB1127 Sexual Assault Forensic Examinations Conducted Through Telehealth - Reimbursement and Study](#)**

Last Action: Text - First - Sexual Assault Forensic Examinations Conducted Through Telehealth - Reimbursement and Study (February 7, 2024)

Primary Sponsor: Delegate J. Sandy Bartlett (D)

Committee: Judiciary (House)

Scheduled Hearing:

Judiciary (House)

**Date:** February 20, 2024

**Time:** 1:00pm (EST)

**Location:** House Office Building, Room 100, Annapolis, MD

## Summary:

Authorizing the reimbursement of a sexual assault forensic exam conducted through telehealth under certain circumstances; and requiring the Maryland Sexual Assault Evidence Kit Policy and Funding Committee to conduct a study on the feasibility of a telehealth program that includes a pilot program for conducting sexual assault forensic examinations through telehealth; and requiring the Committee to report its findings and recommendations to the General Assembly on or before December 1, 2024.

Cross-filed Bill: SB950

Statutes Amended:

11-1007 Article - Criminal Procedure

**[MD - HB1183 Criminal Procedure - District Court Commissioners and False Statements](#)**

Last Action: Text - First - Criminal Procedure - District Court Commissioners and False Statements (February 8, 2024)

Primary Sponsor: Delegate Jackie Addison (D)

Committee: Judiciary (House)

## Summary:

Prohibiting a District Court commissioner from issuing an arrest warrant to an individual other than a police officer or a State's Attorney; and increasing the penalty for making a certain false statement or report to a certain governmental official or unit from 6 months to up to 3 years imprisonment.

Statutes Amended:

2-607 Article - Courts and Judicial Proceedings

9-503 Article - Criminal Law

**[MD - HB1267 Public Safety - Extreme Risk Protective Orders - Review of Court Records](#)**

Last Action: Text - First - Public Safety - Extreme Risk Protective Orders - Review of Court Records (February 8, 2024)

Primary Sponsor: Delegate Robbyn Lewis (D)

Committee: Judiciary (House)

Summary:

Authorizing researchers affiliated with institutions of higher education who are conducting academic or policy research to review a court record related to a petition for an extreme risk protective order.

Cross-filed Bill: SB905

Statutes Amended:

5-602 Article - Public Safety

**[MD - HB1290 Protective Orders - Coercive Control](#)**

Last Action: Text - First - Protective Orders - Coercive Control (February 9, 2024)

Primary Sponsor: Delegate Susan K. McComas (R)

Committee: Judiciary (House)

Summary:

Authorizing a person to petition for a protective order against another person who the petitioner alleges has engaged in controlling or coercive behavior toward the petitioner; and defining "coercive control" as a pattern of emotional or psychological manipulation, maltreatment, threat of force, or intimidation used to compel an individual to act, or refrain from acting, against the individual's will.

Statutes Amended:

4-501,

4-504 Article - Family Law

**[MD - HB1298 Family Law - Paternity - Surname \(Maryland Paternal Naming Rights Act\)](#)**

Last Action: Text - First - Family Law - Paternity - Surname (Maryland Paternal Naming Rights Act) (February 9, 2024)

Primary Sponsor: Delegate Caylin Young (D)

Committee: Judiciary (House)

Summary:

Authorizing the father of a child to file a petition to add the father's surname to the child's name under certain circumstances and establishing related court procedures; and requiring the Maryland Judiciary to develop and update, as appropriate, a training program for judges presiding over petitions filed under the Act.

Statutes Amended:

4-214 Article - Health - General

5-1049 Article - Family Law

### **MD - SB905 Public Safety** Extreme Risk Protective Orders Review of Court Records

Last Action: Hearing 2/27 at 1:00 p.m. (February 7, 2024)

Primary Sponsor: Senator Ariana B. Kelly (D)

Committee: Judicial Proceedings (Senate)

Scheduled Hearing:

Judicial Proceedings (Senate)

**Date:** February 27, 2024

**Time:** 1:00pm (EST)

**Location:** East Miller Senate Building, Room 2, Annapolis, MD

Summary:

Authorizing researchers affiliated with institutions of higher education who are conducting academic or policy research to review a court record related to a petition for an extreme risk protective order.

Cross-filed Bill: HB1267

Statutes Amended:

5-602 Article - Public Safety

### **MD - SB949 Consumer Protection - Self-Administered Sexual Assault Evidence Collection Kits**

Last Action: Hearing 2/27 at 1:00 p.m. (Judicial Proceedings) (February 7, 2024)

Primary Sponsor: Senator Shelly Hettleman (D)

Committees:

Finance (Senate)

Judicial Proceedings (Senate)

Scheduled Hearing:

Judicial Proceedings (Senate)

**Date:** February 27, 2024

**Time:** 1:00pm (EST)

**Location:** East Miller Senate Building, Room 2, Annapolis, MD

Summary:

Providing that a party in a criminal trial involving an allegation of a sexual crime may not introduce evidence that physical evidence of a sexual crime was obtained using certain materials; providing that selling, offering for sale, or distributing a certain self-administered sexual assault evidence collection kit is an unfair, deceptive, or abusive trade practice; establishing the Forensic Nurse Examiner Training Grant Program; and establishing the Forensic Nurse Examiner Training Grant Program Fund as a special, nonlapsing fund.

Cross-filed Bill: HB1047

Statutes Amended:

10-925 Article - Courts and Judicial Proceedings

13-301,

14-4601 through 14-4604 Article - Commercial Law

**MD - SB950 Sexual Assault Forensic Examinations Conducted Through Telehealth - Reimbursement and Study**

Last Action: Text - First - Sexual Assault Forensic Examinations Conducted Through Telehealth - Reimbursement and Study (February 6, 2024)

Primary Sponsor: Senator Shelly Hettleman (D)

Committee: Finance (Senate)

Scheduled Hearing:

Finance (Senate)

**Date:** March 6, 2024

**Time:** 1:00pm (EST)

**Location:** East Miller Senate Building, Room 3, Annapolis, MD

Summary:

Authorizing the reimbursement of a sexual assault forensic exam conducted through telehealth under certain circumstances; requiring the Maryland Sexual Assault Evidence Kit Policy and Funding Committee to conduct a study on the feasibility of a telehealth program that includes a pilot program for conducting sexual assault forensic examinations through telehealth; and requiring the Committee to report its findings and recommendations to the General Assembly on or before December 1, 2024.

Statutes Amended:

11-1007 Article - Criminal Procedure

**MD - SB1011 Family Law Child Support Multifamily Adjustment**

Last Action: Hearing 2/29 at 1:00 p.m. (February 7, 2024)

Primary Sponsor: Senator Nick Charles (D)

Committee: Judicial Proceedings (Senate)

Scheduled Hearing:

Judicial Proceedings (Senate)

**Date:** February 29, 2024

**Time:** 1:00pm (EST)

**Location:** East Miller Senate Building, Room 2, Annapolis, MD

Summary:

Altering the definition of "adjusted actual income" under the State child support guidelines by requiring the deduction, from actual income, of an allowance for support for each child in the parent's home for whom the parent owes a legal duty of support but who is not subject to a support order; requiring that the amount of a certain allowance be subtracted from a parent's actual income before the court determines the amount of a child support award; etc.

Cross-filed Bill: HB1045

Statutes Amended:

12-201,

12-202,

12-204 Article - Family Law

**MD - SB1016 Health Occupations - Prescriptions for Children Subject to Joint Custody**

Last Action: Text - First - Health Occupations - Prescriptions for Children Subject to Joint Custody (February 6, 2024)

Primary Sponsor: Senator Nick Charles (D)

Committee: Finance (Senate)

Scheduled Hearing:

Finance (Senate)

**Date:** March 12, 2024

**Time:** 1:00pm (EDT)

**Location:** East Miller Senate Building, Room 3, Annapolis, MD

Summary:

Requiring health care providers who are authorized to prescribe to double the amount of each drug prescribed for a child if a parent of the child presents the prescriber with a court order of joint legal custody with a right of medical decision making; and requiring a health care provider authorized to dispense prescription drugs to dispense the doubled prescription under certain circumstances.

Statutes Amended:

1-229 Article - Health Occupations