

HOUSE BILL 236

D3
HB 911/24 – JUD

(PRE-FILED)

5lr1166
CF SB 92

By: **Delegate Valentine**

Requested: October 10, 2024

Introduced and read first time: January 8, 2025

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Peace Orders – Intentional Visual Surveillance**

3 FOR the purpose of authorizing a certain person to petition for a peace order against
4 another person whom the petitioner alleges has conducted intentional visual
5 surveillance of areas of the petitioner's residence where the petitioner has a
6 reasonable expectation of privacy; expanding the relief that may be included in a
7 final peace order; and generally relating to peace orders and visual surveillance.

8 BY repealing and reenacting, without amendments,
9 Article – Courts and Judicial Proceedings
10 Section 3–1501(a) and (i)
11 Annotated Code of Maryland
12 (2020 Replacement Volume and 2024 Supplement)

13 BY repealing and reenacting, with amendments,
14 Article – Courts and Judicial Proceedings
15 Section 3–1503(a)(1) and 3–1505(d)(1)
16 Annotated Code of Maryland
17 (2020 Replacement Volume and 2024 Supplement)

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

20 **Article – Courts and Judicial Proceedings**

21 3–1501.

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

23 (i) “Residence” includes the yard, grounds, outbuildings, and common areas

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



surrounding the residence.

3–1503.

(a) (1) A petitioner may seek relief under this subtitle by filing with the court, or with a commissioner under the circumstances specified in § 3–1503.1(a) of this subtitle, a petition that alleges the commission of any of the following acts against the petitioner, or any of the following acts against the petitioner’s employee at the employee’s workplace, by the respondent, if the act occurred within 30 days before the filing of the petition:

(i) An act that causes serious bodily harm;

(ii) An act that places the petitioner or the petitioner’s employee in fear of imminent serious bodily harm;

(iii) Assault in any degree;

(iv) False imprisonment;

(v) Harassment under § 3–803 of the Criminal Law Article;

(vi) Stalking under § 3–802 of the Criminal Law Article;

(vii) Trespass under Title 6, Subtitle 4 of the Criminal Law Article;

(viii) Malicious destruction of property under § 6–301 of the Criminal Law Article;

(ix) Misuse of telephone facilities and equipment under § 3–804 of the Criminal Law Article;

(x) Misuse of electronic communication or interactive computer service under § 3–805 of the Criminal Law Article;

(xi) Revenge porn under § 3–809 of the Criminal Law Article; [or]

(xii) Visual surveillance under § 3–901, § 3–902, or § 3–903 of the Criminal Law Article; OR

(XIII) INTENTIONAL VISUAL SURVEILLANCE, WHETHER OR NOT PROHIBITED UNDER § 3–901, § 3–902, OR § 3–903 OF THE CRIMINAL LAW ARTICLE, OF AREAS OF THE PETITIONER’S RESIDENCE WHERE THE PETITIONER HAS A REASONABLE EXPECTATION OF PRIVACY.

3–1505.

(d) (1) The final peace order may include any or all of the following relief:

(i) Order the respondent to refrain from committing or threatening to commit an act specified in § 3–1503(a) of this subtitle against the petitioner or the petitioner’s employee;

(ii) Order the respondent to refrain from contacting, attempting to contact, or harassing the petitioner or the petitioner’s employee;

(iii) Order the respondent to refrain from entering the residence of the petitioner or the petitioner’s employee;

(iv) Order the respondent to remain away from the place of employment, school, or temporary residence of the petitioner or the petitioner’s employee;

(v) Direct the respondent or petitioner to participate in professionally supervised counseling or, if the parties are amenable, mediation; [and]

(vi) Order either party to pay filing fees and costs of a proceeding under this subtitle; AND

(VII) FOR AN ACT OF VISUAL SURVEILLANCE, ORDER THE RESPONDENT TO:

1. REMOVE OR REPOSITION A DEVICE BEING USED FOR VISUAL SURVEILLANCE WITHIN 15 DAYS AFTER ISSUANCE OF A FINAL PEACE ORDER UNDER THIS SECTION; AND

2. REFRAIN FROM FURTHER VISUAL SURVEILLANCE.

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