

Article - Courts and Judicial Proceedings

4-503.

(a) (1) If a petition is filed under this subtitle and the court determines that the petitioner has demonstrated an abuse of a household member, the court may enter a temporary ex parte order to protect the petitioner or another household member from abuse. The order shall be served immediately by a law enforcement officer on the household member named in the petition, and that household member shall have an opportunity to be heard on the question of continuing the temporary order. Notice of the date of the hearing shall be contained in the order, and this hearing shall be held not later than 5 days after the temporary order is entered.

(2) IF THE HOUSEHOLD MEMBER NAMED IN THE PETITION IS SERVED A TEMPORARY EX PARTE ORDER UNDER SUBSECTION (A) OF THIS SECTION AND FAILS TO APPEAR FOR A HEARING ON THE QUESTION OF CONTINUING THE TEMPORARY ORDER, THE TEMPORARY ORDER MAY BE CONTINUED FOR UP TO 15 DAYS.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1981.

May 19, 1981

The Honorable Benjamin L. Cardin
Speaker of the House of Delegates
State House
Annapolis, Maryland 21404

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 486.

This bill would permit the District Court or a circuit court in Maryland to continue or extend temporary ex parte orders for up to 15 days with respect to domestic violence cases if the person named in the petition fails to appear for a hearing.

The Attorney General has advised me that the title of this bill is defective and misleading and fails to meet the requirements of Article III, Section 29 of the Maryland Constitution. A copy of the Opinion of the Attorney General is attached and should be considered a part of this veto message.

For this reason I have decided to veto House Bill 486.

Sincerely,