

HOUSE BILL 83

D4
HB 1050/25 – JUD

(PRE–FILED)

6lr1362
CF SB 20

By: **Delegate Bartlett**

Requested: October 28, 2025

Introduced and read first time: January 14, 2026

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Family and Law Enforcement Protection Act**

3 FOR the purpose of altering and establishing provisions relating to the surrender of
4 firearms by a respondent under the domestic violence statutes; and generally
5 relating to protective orders.

6 BY repealing and reenacting, without amendments,
7 Article – Family Law
8 Section 4–504(a)
9 Annotated Code of Maryland
10 (2019 Replacement Volume and 2025 Supplement)

11 BY repealing and reenacting, with amendments,
12 Article – Family Law
13 Section 4–504(b), 4–504.1(f), 4–505(a), 4–506(f), 4–506.1, and 4–509(a)
14 Annotated Code of Maryland
15 (2019 Replacement Volume and 2025 Supplement)

16 BY adding to
17 Article – Family Law
18 Section 4–504(e)
19 Annotated Code of Maryland
20 (2019 Replacement Volume and 2025 Supplement)

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

23 **Article – Family Law**

24 4–504.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(a) (1) A petitioner may seek relief from abuse by filing with a court, or with a commissioner under the circumstances specified in § 4–504.1(a) of this subtitle, a petition that alleges abuse of any person eligible for relief by the respondent.

(2) A petition may be filed under this subtitle if:

(i) the abuse is alleged to have occurred in the State; or

(ii) the person eligible for relief is a resident of the State, regardless of whether the abuse is alleged to have occurred in the State.

(b) (1) The petition shall:

(i) be under oath; and

(ii) include any information known to the petitioner of:

1. the nature and extent of the abuse for which the relief is being sought, including information known to the petitioner concerning previous injury resulting from abuse by the respondent;

2. each previous action between the parties in any court;

3. each pending action between the parties in any court;

4. the whereabouts of the respondent, if known;

5. WHETHER THE RESPONDENT POSSESSES A VALID HANDGUN QUALIFICATION LICENSE OR A PERMIT TO WEAR, CARRY, OR TRANSPORT A HANDGUN ISSUED TO THE RESPONDENT BY THE SECRETARY OF STATE POLICE;

6. WHETHER THE RESPONDENT OWNS OR POSSESSES A FIREARM;

[5.] 7. if financial relief is requested, information known to the petitioner regarding the financial resources of the respondent; and

[6.] 8. in a case of alleged child abuse or alleged abuse of a vulnerable adult, the whereabouts of the child or vulnerable adult and any other information relating to the abuse of the child or vulnerable adult.

(2) If the petition states that disclosure of the address of a person eligible for relief would risk further abuse of a person eligible for relief, or reveal the confidential address of a shelter for domestic violence victims, that address may be omitted from all documents filed with a commissioner or filed with, or transferred to, a court. If disclosure

1 is necessary to determine jurisdiction or consider any venue issue, it shall be made orally
2 and in camera and may not be disclosed to the respondent.

3 **(E) IF THE PETITION STATES THAT THE RESPONDENT POSSESSES A VALID**
4 **HANDGUN QUALIFICATION LICENSE OR A PERMIT TO WEAR, CARRY, OR TRANSPORT**
5 **A HANDGUN, OR THAT THE RESPONDENT OWNS OR POSSESSES A FIREARM, THE**
6 **PETITIONER SHALL INCLUDE WITH THE PETITION THE FOLLOWING INFORMATION**
7 **KNOWN TO THE PETITIONER:**

8 **(1) THE LENGTH OF TIME THAT THE PETITIONER HAS KNOWN OR**
9 **LIVED WITH THE RESPONDENT;**

10 **(2) THE POTENTIAL LOCATION OF THE RESPONDENT'S FIREARM;**

11 **(3) THE LAST TIME THE PETITIONER SAW THE RESPONDENT'S**
12 **FIREARM;**

13 **(4) THE MAKE AND MODEL OF THE RESPONDENT'S FIREARM;**

14 **(5) HOW MANY AND WHAT TYPE OF FIREARMS THE RESPONDENT MAY**
15 **HAVE ACCESS TO; AND**

16 **(6) WHETHER THE RESPONDENT KEEPS THE FIREARM IN THE**
17 **RESPONDENT'S CAR AND, IF SO:**

18 **(I) THE MAKE AND MODEL OF THE CAR; AND**

19 **(II) THE LICENSE PLATE NUMBER OF THE CAR.**

20 4-504.1.

21 **(f) Whenever a commissioner issues an interim protective order, the**
22 **commissioner shall:**

23 **(1) immediately forward a copy of the petition and interim protective order**
24 **to the appropriate law enforcement agency for service on the respondent; [and]**

25 **(2) before the hearing scheduled in the interim protective order, transfer**
26 **the case file and the return of service, if any, to the Office of the District Court Clerk; AND**

27 **(3) PROVIDE THE PETITIONER WITH RESOURCES FOR SAFETY,**
28 **PLANNING, AND OTHER SUPPORT, INCLUDING CONTACT INFORMATION FOR THE**
29 **MARYLAND NETWORK AGAINST DOMESTIC VIOLENCE.**

1 4–505.

2 (a) (1) (i) If, after a hearing on a petition, whether ex parte or otherwise, a
3 judge finds that there are reasonable grounds to believe that a person eligible for relief has
4 been abused, the judge may enter a temporary protective order to protect any person
5 eligible for relief from abuse.

6 (ii) In determining whether there are reasonable grounds to believe
7 that a person eligible for relief has been abused, the judge may consider whether a military
8 protection order has been issued against the respondent for the same or similar conduct
9 against the same person eligible for relief.

10 (2) The temporary protective order may order any or all of the following
11 relief:

12 (i) order the respondent to refrain from further abuse or threats of
13 abuse of a person eligible for relief;

14 (ii) order the respondent to refrain from contacting, attempting to
15 contact, or harassing any person eligible for relief;

16 (iii) order the respondent to refrain from entering the residence of a
17 person eligible for relief;

18 (iv) where the person eligible for relief and the respondent are
19 residing together at the time of the alleged abuse, order the respondent to vacate the home
20 immediately and award temporary use and possession of the home to the person eligible
21 for relief or in the case of alleged abuse of a child or alleged abuse of a vulnerable adult,
22 award temporary use and possession of the home to an adult living in the home, provided
23 that the court may not grant an order to vacate and award temporary use and possession
24 of the home to a nonspouse person eligible for relief unless the name of the person eligible
25 for relief appears on the lease or deed to the home or the person eligible for relief has resided
26 in the home with the respondent for a period of at least 90 days within 1 year before the
27 filing of the petition;

28 (v) order the respondent to remain away from the place of
29 employment, school, or temporary residence of a person eligible for relief or home of other
30 family members;

31 (vi) order the respondent to remain away from a child care provider
32 of a person eligible for relief while a child of the person is in the care of the child care
33 provider;

34 (vii) award temporary custody of a minor child of the person eligible
35 for relief and the respondent; **AND**

36 (viii) [order the respondent to surrender to law enforcement

1 authorities any firearm in the respondent's possession, and to refrain from possession of
2 any firearm, for the duration of the temporary protective order if the abuse consisted of:

3 1. the use of a firearm by the respondent against a person
4 eligible for relief;

5 2. a threat by the respondent to use a firearm against a
6 person eligible for relief;

7 3. serious bodily harm to a person eligible for relief caused by
8 the respondent; or

9 4. a threat by the respondent to cause serious bodily harm to
10 a person eligible for relief; and

11 (ix)] award temporary possession of any pet of the person eligible for
12 relief or the respondent.

13 (3) If the judge awards temporary custody of a minor child under
14 paragraph (2)(vii) of this subsection, the judge may order a law enforcement officer to use
15 all reasonable and necessary force to return the minor child to the custodial parent after
16 service of the temporary protective order.

17 **(4) THE TEMPORARY PROTECTIVE ORDER SHALL ORDER THE**
18 **RESPONDENT TO:**

19 **(I) SURRENDER TO LAW ENFORCEMENT AUTHORITIES ANY**
20 **FIREARM IN THE RESPONDENT'S POSSESSION AND ANY HANDGUN QUALIFICATION**
21 **LICENSE OR PERMIT TO WEAR, CARRY, OR TRANSPORT A HANDGUN ISSUED TO THE**
22 **RESPONDENT; AND**

23 **(II) REFRAIN FROM PURCHASING OR POSSESSING A FIREARM**
24 **FOR THE DURATION OF THE TEMPORARY PROTECTIVE ORDER.**

25 4-506.

26 (f) The final protective order shall order the respondent to surrender to law
27 enforcement authorities any firearm in the respondent's possession **AND ANY HANDGUN**
28 **QUALIFICATION LICENSE OR PERMIT TO WEAR, CARRY, OR TRANSPORT A HANDGUN**
29 **ISSUED TO THE RESPONDENT**, and to refrain from [possession of any] **PURCHASING OR**
30 **POSSESSING A** firearm, for the duration of the protective order.

31 4-506.1.

32 **(A) (1) IF A RESPONDENT IS ORDERED TO SURRENDER A FIREARM, A**
33 **HANDGUN QUALIFICATION LICENSE, OR A PERMIT TO WEAR, CARRY, OR TRANSPORT**

1 A HANDGUN UNDER THIS SUBTITLE, THE RESPONDENT SHALL SURRENDER ALL
2 FIREARMS AND ANY HANDGUN QUALIFICATION LICENSE OR PERMIT TO WEAR,
3 CARRY, OR TRANSPORT A HANDGUN IN THE RESPONDENT'S POSSESSION TO A LOCAL
4 LAW ENFORCEMENT AUTHORITY WITHIN 24 HOURS AFTER A LAW ENFORCEMENT
5 OFFICER SERVES THE ORDER ON THE RESPONDENT.

6 (2) IF THE RESPONDENT DOES NOT POSSESS A FIREARM, THE
7 RESPONDENT SHALL SUBMIT AN AFFIDAVIT TO THE COURT AND ANY RELEVANT LAW
8 ENFORCEMENT AGENCY TO THAT EFFECT SIGNED UNDER PENALTY OF PERJURY
9 WITHIN 2 BUSINESS DAYS AFTER SERVICE OF THE ORDER.

10 (3) IF THE RESPONDENT HAS LAWFULLY SOLD OR TRANSFERRED A
11 FIREARM WITHIN THE PRIOR 30 DAYS, THE RESPONDENT SHALL SUBMIT THE
12 TRANSFER PAPERWORK TO THE COURT AND ANY RELEVANT LAW ENFORCEMENT
13 AGENCY WITHIN 2 BUSINESS DAYS AFTER SERVICE OF THE ORDER.

14 (B) (1) WITHIN 3 BUSINESS DAYS AFTER SERVICE OF THE ORDER, A
15 LOCAL LAW ENFORCEMENT AUTHORITY SHALL DETERMINE WHETHER THE
16 RESPONDENT HAS COMPLIED WITH SUBSECTION (A) OF THIS SECTION.

17 (2) IF A LOCAL LAW ENFORCEMENT AUTHORITY DETERMINES A
18 RESPONDENT IS NOT IN COMPLIANCE WITH SUBSECTION (A) OF THIS SECTION
19 WITHIN 3 BUSINESS DAYS AFTER SERVICE OF THE ORDER, THE LOCAL LAW
20 ENFORCEMENT AUTHORITY SHALL:

21 (I) NOTIFY THE STATE'S ATTORNEY'S OFFICE THAT THE
22 RESPONDENT IS NOT IN COMPLIANCE WITH SUBSECTION (A) OF THIS SECTION; AND

23 (II) TAKE APPROPRIATE STEPS TO DETERMINE WHETHER THE
24 RESPONDENT IS IN POSSESSION OF FIREARMS, INCLUDING BY OBTAINING A SEARCH
25 WARRANT UNDER SUBSECTION (H) OF THIS SECTION, AND REMOVE ANY FIREARMS.

26 [(a)] (C) If a respondent surrenders a firearm under [§ 4-505 or § 4-506 of] this
27 subtitle, a law enforcement officer shall:

28 (1) provide to the respondent information on the process for retaking
29 possession of the firearm; and

30 (2) transport and store the firearm in a protective case, if one is available,
31 and in a manner intended to prevent damage to the firearm during the time the protective
32 order is in effect.

33 (D) (1) THE RESPONDENT MAY RETAKE POSSESSION OF THE FIREARM AT
34 THE EXPIRATION OF AN INTERIM PROTECTIVE ORDER UNLESS:

(I) THE RESPONDENT IS ORDERED TO SURRENDER THE FIREARM IN A TEMPORARY PROTECTIVE ORDER ISSUED UNDER § 4-505 OF THIS SUBTITLE; OR

(II) THE RESPONDENT IS NOT OTHERWISE LEGALLY ENTITLED TO OWN OR POSSESS THE FIREARM.

[(b) (1)] (2) The respondent may retake possession of the firearm at the expiration of a temporary protective order unless:

(i) the respondent is ordered to surrender the firearm in a protective order issued under § 4-506 of this subtitle; or

(ii) the respondent is not otherwise legally entitled to own or possess the firearm.

[(2)] (3) The respondent may retake possession of the firearm at the expiration of a final protective order unless:

(i) the protective order is extended under § 4-507(a)(2) of this subtitle; or

(ii) the respondent is not otherwise legally entitled to own or possess the firearm.

[(c)] (E) Notwithstanding any other law, a respondent may transport a firearm if the respondent is carrying a protective order requiring the surrender of the firearm and:

(1) the firearm is unloaded;

(2) the respondent has notified the law enforcement unit, barracks, or station that the firearm is being transported in accordance with the protective order; and

(3) the respondent transports the firearm directly to the law enforcement unit, barracks, or station.

(F) A RESPONDENT WHO DOES NOT WISH TO RECOVER A FIREARM SURRENDERED IN ACCORDANCE WITH A PROTECTIVE ORDER OR WHO IS OTHERWISE PROHIBITED FROM POSSESSING A FIREARM MAY:

(1) SELL OR TRANSFER THE FIREARM OR AMMUNITION TO:

(I) A LICENSED FIREARM DEALER; OR

(II) ANOTHER PERSON:

1. WHO IS NOT PROHIBITED FROM POSSESSING A FIREARM OR AMMUNITION UNDER STATE OR FEDERAL LAW; AND

2. WHO DOES NOT LIVE IN THE SAME RESIDENCE AS THE RESPONDENT; OR

(2) REQUEST THE DESTRUCTION OF THE FIREARM.

(G) A LAW ENFORCEMENT AGENCY THAT RECEIVES A FIREARM SURRENDERED UNDER THIS SUBTITLE SHALL ISSUE WRITTEN PROOF OF THE SURRENDER TO THE RESPONDENT, INCLUDING:

(1) THE NAME OF THE PERSON SURRENDERING THE FIREARM;

(2) THE DATE THE FIREARM WAS SURRENDERED; AND

(3) (I) SUBJECT TO ITEM (II) OF THIS ITEM, THE SERIAL NUMBER, MAKE, AND MODEL OF THE FIREARM; OR

(II) FOR A FIREARM MANUFACTURED PRIOR TO 1968 WITHOUT A SERIAL NUMBER, THE IDENTIFYING MARKS ON THE FIREARM.

(H) (1) TO CARRY OUT THE PROVISIONS OF THIS SUBTITLE RELATING TO THE SURRENDER OF FIREARMS, A LAW ENFORCEMENT OFFICER SHALL ACCOMPANY THE RESPONDENT OR PROCEED WITHOUT THE RESPONDENT'S PRESENCE, IF NECESSARY, TO ANY PLACE WHERE THE LAW ENFORCEMENT OFFICER HAS PROBABLE CAUSE TO BELIEVE A FIREARM IN THE POSSESSION OF THE RESPONDENT IS LOCATED TO ENSURE THAT THE RESPONDENT DOES NOT GAIN ACCESS TO A FIREARM.

(2) ON APPLICATION BY THE STATE'S ATTORNEY OR A LAW ENFORCEMENT OFFICER, BASED ON PROBABLE CAUSE TO BELIEVE THAT THE RESPONDENT HAS FAILED TO SURRENDER A FIREARM IN ACCORDANCE WITH THIS SECTION OR IS IN POSSESSION OF OTHER FIREARMS, THE COURT MAY AUTHORIZE THE EXECUTION OF A SEARCH WARRANT FOR THE REMOVAL OF A FIREARM AT ANY LOCATION AT WHICH THE COURT HAS PROBABLE CAUSE TO BELIEVE A FIREARM POSSESSED BY THE RESPONDENT IS LOCATED.

(3) IF AN ORDER UNDER THIS SUBTITLE PROHIBITS A RESPONDENT FROM RETURNING TO THE SCENE OF DOMESTIC VIOLENCE OR ANOTHER PLACE WHERE A LAW ENFORCEMENT OFFICER HAS PROBABLE CAUSE TO BELIEVE A

1 FIREARM IN THE POSSESSION OF THE RESPONDENT IS LOCATED, THE LAW
2 ENFORCEMENT OFFICER SHALL PROCEED WITHOUT THE RESPONDENT'S PRESENCE.

3 4-509.

4 (a) A person may not fail to comply with the relief granted in an interim protective
5 order under § 4-504.1(c)(1), (2), (3), (4)(i), (7), or (8) of this subtitle, a temporary protective
6 order under § 4-505(a)(2)(i), (ii), (iii), (iv), **OR** (v)[, or (viii)] **OR (4)** of this subtitle, or a final
7 protective order under § 4-506(d)(1), (2), (3), (4), or (5)[.] or (f) of this subtitle.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 October 1, 2026.