

Department of Legislative Services
Maryland General Assembly
2026 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 433 (Senator Love, *et al.*)
Judicial Proceedings

Family Law - Temporary and Final Protective Orders - Duration and Relief

This bill generally extends, from 7 to 14 days, the time during which a temporary protective order is in effect after service of the order. It similarly extends the time by which a final protective order hearing must be held following service of the temporary protective order, as otherwise specified in statute. The bill also expands the relief that may be included in a final protective order by authorizing an order to require the respondent to pay a person eligible for relief, by a date fixed by the court, any losses or expenses incurred as a direct result of the abuse, including (1) medical, dental, or mental health treatment costs; (2) costs to repair or replace damaged property; (3) food, temporary shelter, or relocation costs; (4) transportation costs; (5) filing fees and court costs; and (6) reasonable attorney's fees. A monetary award under the bill does not preclude a petitioner from bringing a subsequent claim for additional losses or expenses not awarded in the final protective order.

Fiscal Summary

State Effect: General fund expenditures for the Judiciary increase by \$58,500 in FY 2027 only for one-time programming costs. Otherwise, the bill is not anticipated to materially affect State finances or operations.

Local Effect: The bill is not anticipated to materially affect local government finances or operations.

Small Business Effect: None.

Analysis

Current Law: An individual meeting specified relationship requirements may seek relief

from abuse by filing a petition with the court or, if the clerk's office is closed, with a District Court Commissioner. Under limited circumstances, a petition may also be filed electronically from specified locations. The petition must be under oath and include specified information known to the petitioner, including the nature and extent of the abuse for which the relief is sought, any previous or pending action between the parties in any court, and the whereabouts of the respondent.

If a judge finds that there are reasonable grounds to believe that a person eligible for relief has been abused, the judge may grant a temporary protective order. In general, a temporary protective order is in effect for no more than seven days after service of the order; a final protective order hearing must be held no later than seven days after service. A judge may extend the temporary protective order as needed, but not to exceed six months, to effectuate service of the order where necessary to provide protection or for other good cause.

A judge may grant a final protective order if the judge finds by a preponderance of the evidence that the alleged abuse has occurred or if the respondent consents to the entry of the order. Among other relief, a final protective order may order the respondent to (1) refrain from abusing or threatening to abuse any person eligible for relief; (2) refrain from contacting, attempting to contact, or harassing any person eligible for relief; (3) refrain from entering the residence of any person eligible for relief; (4) award emergency family maintenance as necessary to support any person eligible for relief to whom the respondent has a duty of support, as specified; or (5) pay filing fees and costs. A final protective order may also address issues relating to custody and visitation, use and possession of a home or vehicle, counseling, and temporary possession of a pet. A final protective order must require the respondent to surrender to law enforcement authorities any firearm in the respondent's possession and to refrain from possession of any firearm for the duration of the protective order. All relief granted in a final protective order is effective for the period stated in the order, generally up to a maximum of 12 months. A final protective order may be issued for up to two years in specified circumstances set forth in statute. Statutory provisions also set forth circumstances under which a final protective order may be modified, rescinded, or extended.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: HB 497 (Delegate Simpson) - Judiciary.

Information Source(s): Baltimore City; Harford, Talbot, and Wicomico counties; Judiciary (Administrative Office of the Courts); Department of Legislative Services

Fiscal Note History: First Reader - February 6, 2026
sj/jkb

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