

SENATE BILL 8

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E1

2003 Regular Session
(31r0331)

ENROLLED BILL
-- Judicial Proceedings/Judiciary --

Introduced by ~~Senator Colburn~~ **Senators Colburn, Forehand, Giannetti,
Green, Haines, Jacobs, Jimeno, and Mooney**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

President.

CHAPTER 56

1 AN ACT concerning

2 **Crimes - Counterfeiting United States Currency**

3 FOR the purpose of ~~making it unlawful to manufacture with intent to defraud,~~
4 ~~counterfeit, cause to be counterfeited, or willingly aid or assist in counterfeiting~~
5 ~~United States currency; making it unlawful to make, transmit, or have control of~~
6 ~~certain types of images of United States currency with intent to defraud;~~
7 ~~providing criminal penalties for a violation of this Act prohibiting a person, with~~
8 ~~intent to defraud, from manufacturing, counterfeiting, or causing, aiding, or~~
9 ~~assisting in counterfeiting United States currency; prohibiting a person, with~~
10 ~~intent to defraud, from making, scanning, recording, reproducing, transmitting,~~
11 ~~or possessing certain images of United States currency; establishing certain~~
12 ~~penalties; providing that the District Court has jurisdiction that is concurrent~~
13 ~~with a circuit court in certain criminal cases involving the counterfeiting of~~
14 ~~United States currency;~~ and generally relating to the counterfeiting of United
15 States currency.

16 BY repealing and reenacting, without amendments,

1 Article - Criminal Law
 2 Section 1-101(c)
 3 Annotated Code of Maryland
 4 (2002 Volume)

5 BY repealing and reenacting, with amendments,
 6 Article - Criminal Law
 7 Section 8-604
 8 Annotated Code of Maryland
 9 (2002 Volume)

10 BY adding to
 11 Article - Criminal Law
 12 Section 8-604
 13 Annotated Code of Maryland
 14 (2002 Volume)

15 BY repealing and reenacting, with amendments,
 16 Article - Courts and Judicial Proceedings
 17 Section 4-301(b)(17) and (18) and 4-302(a) and (d)(1)
 18 Annotated Code of Maryland
 19 (2002 Replacement Volume)

20 BY adding to
 21 Article - Courts and Judicial Proceedings
 22 Section 4-301(b)(19)
 23 Annotated Code of Maryland
 24 (2002 Replacement Volume)

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

27 **Article - Criminal Law**

28 1-101.

29 (c) "Counterfeit" means to forge, counterfeit, materially alter, or falsely make.
 30 8-604.

31 (A) A PERSON MAY NOT, WITH INTENT TO DEFRAUD:

32 (1) MANUFACTURE UNITED STATES CURRENCY ~~WITH INTENT TO~~
 33 ~~DEFRAUD;~~

1 (2) COUNTERFEIT, CAUSE TO BE COUNTERFEITED, OR WILLINGLY AID
2 OR ASSIST IN COUNTERFEITING UNITED STATES CURRENCY; OR

3 (3) MAKE, SCAN, RECORD, REPRODUCE, TRANSMIT, OR HAVE IN THE
4 PERSON'S CONTROL, CUSTODY, OR POSSESSION AN ANALOG, DIGITAL, OR
5 ELECTRONIC IMAGE OF UNITED STATES CURRENCY ~~WITH INTENT TO DEFRAUD.~~

6 (B) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A FELONY AND ON
7 CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 10 YEARS OR A FINE
8 NOT EXCEEDING ~~\$1,000~~ \$10,000 OR BOTH.

9 [8-604.] 8-604.1.

10 (a) A person may not knowingly possess, with unlawful intent, or issue
11 counterfeit United States currency.

12 (b) A person who violates this section is guilty of a misdemeanor and on
13 conviction is subject to imprisonment not exceeding 3 years or a fine not exceeding
14 \$1,000 or both.

15 **Article - Courts and Judicial Proceedings**

16 4-301.

17 (b) Except as provided in § 4-302 of this subtitle, the District Court also has
18 exclusive original jurisdiction in a criminal case in which a person at least 18 years
19 old or a corporation is charged with:

20 (17) Violation of § 20-102 of the Transportation Article, whether a felony
21 or misdemeanor; [or]

22 (18) Violation of § 8-801 of the Criminal Law Article; OR

23 (19) VIOLATION OF § 8-604 OF THE CRIMINAL LAW ARTICLE.

24 4-302.

25 (a) Except as provided in § 4-301(b)(2), (6), (7), (8), (9), (10), (11), (12), (13),
26 (14), (15), (16), (17), [and] (18), AND (19) of this subtitle, the District Court does not
27 have jurisdiction to try a criminal case charging the commission of a felony.

28 (d) (1) Except as provided in paragraph (2) of this subsection, the jurisdiction
29 of the District Court is concurrent with that of the circuit court in a criminal case:

30 (i) In which the penalty may be confinement for 3 years or more or
31 a fine of \$2,500 or more; or

32 (ii) Which is a felony, as provided in § 4-301(b)(2), (6), (7), (8), (9),
33 (10), (11), (12), (13), (14), (15), (16), (17), [and] (18), AND (19) of this subtitle.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
2 effect October 1, 2003.