
By: **Delegates Lee, Barkley, DeBoy, Dumais, Goldwater, Impallaria, Kaiser, Madaleno, McDonough, Montgomery, Shank, Shewell, and Weir**
Introduced and read first time: February 10, 2006
Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Crimes - Knowing Sale or Issuance of False Identification Card or**
3 **Document - Penalties**

4 FOR the purpose of altering the crime of selling, issuing, offering for sale, or offering
5 to issue an identification card or document that contains a blank space for a
6 person's age or date of birth or a person's incorrect age or date of birth so as to
7 require that the act be done knowingly; prohibiting a person from knowingly
8 selling, issuing, offering for sale, or offering to issue an identification card or
9 document that contains an incorrect name instead of a person's true name or an
10 incorrect address for a person; establishing certain penalties for a violation of
11 this Act; and generally relating to the sale, issuance, offer of sale, and offer to
12 issue certain identification cards.

13 BY repealing and reenacting, with amendments,
14 Article - Criminal Law
15 Section 8-302
16 Annotated Code of Maryland
17 (2002 Volume and 2005 Supplement)

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

20 **Article - Criminal Law**

21 8-302.

22 (a) In this section, "offer for sale" includes to induce, solicit, attempt, or
23 advertise in a manner intended to encourage a person to purchase an identification
24 card.

25 (b) Subject to subsection (c) of this section, a person may not KNOWINGLY sell,
26 issue, offer for sale, or offer to issue an identification card or document that contains:

27 (1) a blank space for a person's age or date of birth; [or]

- 1 (2) a person's incorrect age or date of birth;
- 2 (3) AN INCORRECT NAME INSTEAD OF A PERSON'S TRUE NAME; OR
- 3 (4) AN INCORRECT ADDRESS FOR A PERSON.

4 (c) This section does not prohibit a manufacturer of identification cards or
5 documents from selling or issuing identification cards or documents that contain a
6 blank space for a person's age or date of birth to:

- 7 (1) employers, for use as employee identification cards or documents;
- 8 (2) hospitals, for use as patient identification cards; or
- 9 (3) governmental units.

10 (d) (1) A person who violates this section is guilty of a misdemeanor and on
11 conviction is subject to imprisonment not exceeding 2 years or a fine not exceeding
12 \$2,000 or both.

13 (2) Each identification card or document sold or issued and each offer in
14 violation of this section is a crime that may be separately prosecuted.

15 (e) The Attorney General, or the State's Attorney for a county where a
16 violation of this section occurs, may seek an injunction to stop a sale, issue, or offer
17 that violates this section.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 October 1, 2006.