

## Article - Criminal Law

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§5-623.

- (a) (1) In this section the following words have the meanings indicated.
- (2) “Drug crime” means:
  - (i) a crime under this title; or
  - (ii) a crime committed in another jurisdiction that would be a crime under this title if committed in this State.
- (3) “Financial transaction” means:
  - (i) a payment;
  - (ii) a purchase;
  - (iii) a sale;
  - (iv) a loan;
  - (v) a pledge;
  - (vi) a transfer;
  - (vii) a delivery;
  - (viii) a deposit;
  - (ix) a withdrawal; or
  - (x) an extension of credit or exchange of a monetary instrument or equivalent property, including precious metals, stones or jewelry, airline tickets, stamps, or credit in a financial institution as defined in § 1-101 of the Financial Institutions Article.
- (4) “Monetary instrument” means:
  - (i) coin or currency of the United States or any other country;
  - (ii) a bank check;
  - (iii) a travelers’ check;
  - (iv) a money order;

- (v) an investment security; or
- (vi) a negotiable instrument.

(5) "Proceeds" means money or any other property with a value exceeding \$10,000.

(b) Except for a financial transaction necessary to preserve a person's right to representation as guaranteed by the 6th Amendment to the United States Constitution and Article 21 of the Maryland Declaration of Rights, a person may not, with the intent to promote a drug crime or with the intent to conceal or disguise the nature, location, source, ownership, or control of proceeds of a drug crime:

(1) receive or acquire proceeds knowing that the proceeds are derived from a drug crime;

(2) engage in a financial transaction involving proceeds knowing that the proceeds are derived from a drug crime;

(3) give, sell, transfer, trade, invest, conceal, transport, or maintain an interest in proceeds knowing that the proceeds are derived from a drug crime;

(4) direct, promote, plan, organize, initiate, finance, manage, supervise, or facilitate the transportation or transfer of proceeds knowing that the proceeds are derived from a drug crime; or

(5) conduct a financial transaction involving proceeds knowing that the proceeds are derived from a drug crime.

(c) A person who violates this section is guilty of a felony and on conviction is subject to:

(1) for a first violation:

(i) imprisonment not exceeding 5 years;

(ii) a fine not exceeding the greater of \$250,000 or twice the value of the proceeds involved in the financial transaction; or

(iii) both; or

(2) for each subsequent violation:

(i) imprisonment not exceeding 10 years;

(ii) a fine not exceeding the greater of \$500,000 or 5 times the value of the proceeds involved in the financial transaction; or

(iii) both.

(d) Notwithstanding any other provision of law, for purposes of this section each financial transaction is a separate violation.

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