

SENATE BILL 365

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1999 Regular Session  
9r1269

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By: **Senator Frosh**

Introduced and read first time: February 5, 1999

Assigned to: Judicial Proceedings

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A BILL ENTITLED

1 AN ACT concerning

2 **Crimes - Forgery - Creation of Instruments**

3 FOR the purpose of modifying the crimes of forgery and counterfeiting to establish  
4 that a violation is deemed to have occurred where a person defrauded resides or  
5 has a place of business, or where an act in the furtherance of the violation  
6 occurred; and generally relating to counterfeiting and forgery.

7 BY repealing and reenacting, with amendments,  
8 Article 27 - Crimes and Punishments  
9 Section 44  
10 Annotated Code of Maryland  
11 (1996 Replacement Volume and 1998 Supplement)

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

14 **Article 27 - Crimes and Punishments**

15 44.

16 (a) (1) Any person who shall falsely make, forge or counterfeit, or cause or  
17 procure to be falsely made, forged or counterfeited, or willingly aid or assist in falsely  
18 making, forging, altering or counterfeiting any deed, title to motor vehicle, document  
19 or affidavit of waiver or release of mechanics' lien, will, testament or codicil, power of  
20 attorney, bond, writing obligatory, bill of exchange, promissory note for the payment  
21 of money or property, endorsement or assignment of any bond, writing obligatory, bill  
22 of exchange, promissory note for the payment of money or property, acquittance or  
23 receipt for money or property, or any acquisition or receipt either for money or for  
24 property, or any entries in a book of account or ledger, with intention to defraud any  
25 person whomsoever, shall be deemed a felon, and upon conviction, shall be sentenced  
26 to imprisonment for not more than 10 years or fined not more than \$1,000 or both.

27 (2) A VIOLATION OF PARAGRAPH (1) OF THIS SUBSECTION IS DEEMED TO  
28 HAVE OCCURRED WHERE:

- 1 (I) THE PERSON DEFRAUDED RESIDES;  
2 (II) THE PERSON DEFRAUDED HAS A PLACE OF BUSINESS; OR  
3 (III) AN ACT IN FURTHERANCE OF THE VIOLATION OCCURRED.

4 (b) (1) Any person who shall utter or publish as true any false, forged,  
5 altered or counterfeited deed, title to motor vehicle, will, testament or codicil, power of  
6 attorney, bond, writing obligatory, bill of exchange, promissory note for the payment  
7 of money or property, or endorsement, or assignment of any bond, writing obligatory,  
8 bill of exchange, promissory note for the payment of money or property, acquittance or  
9 receipt for money or property, or shall utter or publish as true, with intention to  
10 defraud any person whomsoever any false document of waiver or release of  
11 mechanics' lien, or any entries in a book of account or ledger, shall be deemed a felon,  
12 and on being convicted thereof shall be sentenced to the penitentiary for not more  
13 than 10 years or fined not more than \$1,000, or both.

14 (2) A VIOLATION OF PARAGRAPH (1) OF THIS SUBSECTION IS DEEMED TO  
15 HAVE OCCURRED WHERE:

- 16 (I) THE PERSON DEFRAUDED RESIDES;  
17 (II) THE PERSON DEFRAUDED HAS A PLACE OF BUSINESS; OR  
18 (III) AN ACT IN FURTHERANCE OF THE VIOLATION OCCURRED.

19 (c) Any person who shall knowingly possess, with unlawful intent, any forged,  
20 counterfeited, or altered title to a motor vehicle shall be guilty of a misdemeanor and,  
21 upon conviction, shall be sentenced to imprisonment for not more than 3 years or  
22 fined not more than \$1,000 or both.

23 (d) Any person who shall knowingly possess, with unlawful intent, or utter  
24 forged, counterfeit, or altered United States currency shall be guilty of a  
25 misdemeanor, and upon conviction, shall be sentenced to imprisonment for not more  
26 than 3 years or fined not more than \$1,000 or both.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
28 October 1, 1999.