

HOUSE BILL 202

Unofficial Copy
E1

2003 Regular Session
(3lr1189)

ENROLLED BILL
-- Judiciary/Judicial Proceedings --

Introduced by **Delegates Lee, Amedori, Anderson, Barkley, Bronrott, Brown, Cryor, Donoghue, Dumais, Dwyer, Feldman, Goldwater, Gutierrez, Kaiser, Kelley, Madaleno, Mandel, McComas, Menes, Montgomery, Murray, Petzold, Quinter, Shank, Simmons, Sophocleus, Taylor, and Vallario**

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.

Speaker.

CHAPTER _____

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~~

1 United States currency; and generally relating to the counterfeiting of United
2 States currency.

3 BY repealing and reenacting, without amendments,
4 Article - Criminal Law
5 Section 1-101(c)
6 Annotated Code of Maryland
7 (2002 Volume)

8 BY repealing and reenacting, with amendments,
9 Article - Criminal Law
10 Section 8-604
11 Annotated Code of Maryland
12 (2002 Volume)

13 BY adding to
14 Article - Criminal Law
15 Section 8-604
16 Annotated Code of Maryland
17 (2002 Volume)

18 BY repealing and reenacting, with amendments,
19 Article - Courts and Judicial Proceedings
20 Section 4-301(b)(17) and (18) and 4-302(a) and (d)(1)
21 Annotated Code of Maryland
22 (2002 Replacement Volume)

23 BY adding to
24 Article - Courts and Judicial Proceedings
25 Section 4-301(b)(19)
26 Annotated Code of Maryland
27 (2002 Replacement Volume)

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

30 **Article - Criminal Law**

31 1-101.

32 (c) "Counterfeit" means to forge, counterfeit, materially alter, or falsely make.

33 8-604.

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

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

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

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

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

11 [8-604.] 8-604.1.

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

14 (b) A person who violates this section is guilty of a misdemeanor and on
15 conviction is subject to imprisonment not exceeding 3 years or a fine not exceeding
16 \$1,000 or both.

17 **Article - Courts and Judicial Proceedings**

18 4-301.

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

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

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

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

26 4-302.

27 (a) Except as provided in § 4-301(b)(2), (6), (7), (8), (9), (10), (11), (12), (13),
28 (14), (15), (16), (17), [and] (18), AND (19) of this subtitle, the District Court does not
29 have jurisdiction to try a criminal case charging the commission of a felony.

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

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

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

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