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By: **Montgomery County Delegation and Prince George's County Delegation**

Introduced and read first time: February 5, 2003

Assigned to: Judiciary

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A BILL ENTITLED

1 AN ACT concerning

2 **Park Police of the Maryland-National Capital Park and Planning**  
3 **Commission - Investigatory Authority - Identity Fraud**  
4 **MC/PG 113-03**

5 FOR the purpose of authorizing the Park Police of the Maryland-National Capital  
6 Park and Planning Commission to investigate violations of certain types of  
7 suspected identity fraud; specifying certain limitations in the authority of the  
8 police; and generally relating to the authority of the Park Police of the  
9 Maryland-National Capital Park and Planning Commission.

10 BY repealing and reenacting, without amendments,  
11 Article - Criminal Law  
12 Section 8-301(b) and (c)  
13 Annotated Code of Maryland  
14 (2002 Volume)

15 BY repealing and reenacting, with amendments,  
16 Article - Criminal Law  
17 Section 8-301(i)  
18 Annotated Code of Maryland  
19 (2002 Volume)

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

22 **Article - Criminal Law**

23 8-301.

24 (b) A person may not knowingly, willfully, and with fraudulent intent possess,  
25 obtain, or help another to possess or obtain any personal identifying information of an  
26 individual, without the consent of the individual, in order to use, sell, or transfer the

1 information to get a benefit, credit, good, service, or other thing of value in the name  
2 of the individual.

3 (c) A person may not knowingly and willfully assume the identity of another:

4 (1) to avoid identification, apprehension, or prosecution for a crime; or

5 (2) with fraudulent intent to:

6 (i) get a benefit, credit, good, service, or other thing of value; or

7 (ii) avoid the payment of debt or other legal obligation.

8 (i) (1) Notwithstanding any other law, a law enforcement officer of the  
9 Maryland Transportation Authority Police, the Maryland Port Administration Police,  
10 THE PARK POLICE OF THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING  
11 COMMISSION, or a municipal corporation or county may investigate violations of this  
12 section throughout the State without any limitation as to jurisdiction and to the same  
13 extent as a law enforcement officer of the Department of State Police.

14 (2) The authority granted in paragraph (1) of this subsection may be  
15 exercised only in accordance with regulations that the Secretary of the State Police  
16 adopts.

17 (3) The regulations are not subject to Title 10, Subtitle 1 of the State  
18 Government Article.

19 (4) The authority granted in paragraph (1) of this subsection may be  
20 exercised only if an act related to the crime was committed in the investigating law  
21 enforcement agency's jurisdiction or if the complaining witness resides in the  
22 investigating law enforcement agency's jurisdiction.

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