

SENATE BILL 233

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2003 Regular Session
3r0700
CF 3r0699

By: **Senators Stone and Hughes (Committee to Revise Article 27 - Crimes and Punishments)**

Introduced and read first time: January 29, 2003

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law - Counterfeiting - Fines**

3 FOR the purpose of establishing the maximum fines for certain crimes relating to
4 counterfeiting; and generally relating to counterfeiting.

5 BY repealing and reenacting, with amendments,
6 Article - Criminal Law
7 Section 8-605, 8-607 through 8-609, and 8-612
8 Annotated Code of Maryland
9 (2002 Volume)

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

12 **Article - Criminal Law**

13 8-605.

14 (a) (1) A person, with intent to defraud another, may not counterfeit, or
15 cause to be counterfeited, or willingly aid or assist in counterfeiting:

16 (i) a commission, patent, or pardon; or

17 (ii) a warrant, certificate, or other public security from which
18 money may be drawn from the treasury of the State.

19 (2) A person, with intent to defraud another, may not print, write, sign,
20 or pass a counterfeit warrant, certificate, or public security if the person knows that
21 it was counterfeited.

22 (b) A person who violates this section is guilty of a felony and on conviction is
23 subject to imprisonment for not less than 2 years and not exceeding 10 years OR A
24 FINE NOT EXCEEDING \$10,000 OR BOTH.

1 8-607.

2 (a) In this section, "public seal" means:

3 (1) the great seal of the State;

4 (2) the seal of any court of the State; or

5 (3) any other public seal of the State.

6 (b) A person may not:

7 (1) counterfeit and use a public seal;

8 (2) steal a public seal;

9 (3) unlawfully and falsely, or with evil intent, affix a public seal to a
10 deed, warrant, or writing; or

11 (4) have and willfully conceal a counterfeit public seal, if the person
12 knows that it was counterfeit.

13 (c) A person who violates this section is guilty of a misdemeanor and on
14 conviction is subject to imprisonment for not less than 2 years and not exceeding 10
15 years OR A FINE NOT EXCEEDING \$10,000 OR BOTH.

16 (d) A person who violates this section is subject to § 5-106(b) of the Courts
17 Article.

18 8-608.

19 (a) A person may not:

20 (1) counterfeit the stamp of the Comptroller;

21 (2) unlawfully use or steal the stamp of the Comptroller;

22 (3) unlawfully and falsely, or with evil intent, affix the stamp of the
23 Comptroller to any written instrument; or

24 (4) have and willfully conceal a counterfeit stamp of the Comptroller, if
25 the person knows that it was counterfeit.

26 (b) A person who violates this section is guilty of a misdemeanor and on
27 conviction is subject to imprisonment for not less than 2 years and not exceeding 10
28 years OR A FINE NOT EXCEEDING \$10,000 OR BOTH.

29 (c) A person who violates this section is subject to § 5-106(b) of the Courts
30 Article.

1 8-609.

2 (a) In this section, "order for money or goods" means any writing, ordering, or
3 requesting for the payment of money or the delivery of goods.

4 (b) A person may not:

5 (1) with intent to defraud another, cause or procure to be counterfeited,
6 or willingly aid or assist in counterfeiting an order for money or goods;

7 (2) with intent to defraud another, issue, publish, or pass a counterfeit
8 order for money or goods, if the person knows it was counterfeit; or

9 (3) knowingly and fraudulently obtain money or goods by means of a
10 counterfeit order for money or goods.

11 (c) A person who violates this section is guilty of a felony and on conviction is
12 subject to imprisonment for not less than 2 years and not exceeding 10 years OR A
13 FINE NOT EXCEEDING \$10,000 OR BOTH.

14 8-612.

15 (a) In this section, "token" means a ticket, coupon, coin, disc, slug, or any other
16 thing that:

17 (1) is evidence of the right of an individual to enter, leave, ride on, or
18 pass through or over any thing or place for which a fee is charged, including a
19 building, ground, public conveyance, vessel, or bridge; and

20 (2) is intended or designed to be inserted into a box or machine for the
21 collection of fees or given to a collector.

22 (b) (1) A person may not counterfeit or issue, or cause to be counterfeited or
23 issued, or aid or assist in counterfeiting or issuing a token without the permission of
24 the person who lawfully issues, sells, or gives away the token.

25 (2) A person may not issue or pass a token if the person knows that it
26 was:

27 (i) counterfeited; or

28 (ii) issued without the permission of the person who lawfully
29 issues, sells, or gives away the token.

30 (c) A person who violates this section is guilty of a misdemeanor and on
31 conviction is subject to imprisonment not exceeding 1 year OR A FINE NOT
32 EXCEEDING \$1,000 OR BOTH.

33 COMMITTEE NOTE (COMMITTEE TO REVISE ARTICLE 27): The specific
34 fines for the crimes in this Act were proposed under the rationale that the appropriate

1 maximum fine should be calculated by multiplying by \$1,000 the maximum number
2 of years of imprisonment authorized by statute.

3 SECTION 2. AND BE IT FURTHER ENACTED, That the Committee Note
4 contained in this Act is not law.

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