

# HOUSE BILL 1265

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8lr2995

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By: **Delegates Frush and Vallario**

Introduced and read first time: February 8, 2008

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Unauthorized Removal of Property – Elements of Crime**

3 FOR the purpose of repealing the requirement that a person enter or be on the  
4 premises of another for a conviction of the crime of taking and carrying away  
5 from the premises or out of the custody of another or the use of the other, or the  
6 other's agent, or a governmental unit any property without the permission of  
7 the owner of the property; and generally relating to the unauthorized removal of  
8 property of another.

9 BY repealing and reenacting, with amendments,  
10 Article – Criminal Law  
11 Section 7–203  
12 Annotated Code of Maryland  
13 (2002 Volume and 2007 Supplement)

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

16 **Article – Criminal Law**

17 7–203.

18 (a) Without the permission of the owner, a person may not [enter or be on  
19 the premises of another, and] take and carry away from the premises or out of the  
20 custody **OF ANOTHER** or use of the other, or the other's agent, or a governmental unit  
21 any property, including:

22 (1) a vehicle;

23 (2) a motor vehicle;

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (3) a vessel; or

2 (4) livestock.

3 (b) A person who violates this section is guilty of a misdemeanor and on  
4 conviction:

5 (1) is subject to imprisonment for not less than 6 months and not  
6 exceeding 4 years or a fine not less than \$50 and not exceeding \$100 or both; and

7 (2) shall restore the property taken and carried away in violation of  
8 this section or, if unable to restore the property, shall pay to the owner the full value of  
9 the property.

10 (c) It is not a defense to this section that the person intends to hold or keep  
11 the property for the person's present use and not with the intent of appropriating or  
12 converting the property.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
14 October 1, 2008.