

## CHAPTER 315

(House Bill 1265)

AN ACT concerning

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

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

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

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

#### **Article – Criminal Law**

7–203.

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

- (1) a vehicle;
- (2) a motor vehicle;
- (3) a vessel; or
- (4) livestock.

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

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

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

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

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

**Approved by the Governor, April 24, 2008.**