HOUSE BILL 135

E1, E2 5lr0963 (PRE–FILED) CF 5lr0964

By: Delegate Conaway

Requested: September 26, 2024

Introduced and read first time: January 8, 2025

Assigned to: Judiciary

A BILL ENTITLED

T	AN ACT concerning
2 3	Criminal Law - Theft - Mail and Packages (Porch Piracy Act of 2025)
4 5 6	FOR the purpose of prohibiting the theft of mail or packages; requiring the Central Collections Unit to take certain actions on certain overdue restitution; and generally relating to theft of mail and packages.
7 8 9 10	BY adding to Article – Criminal Law Section 7–106.1 Annotated Code of Maryland (2021 Replacement Volume and 2024 Supplement)
12 13 14 15	BY repealing and reenacting, without amendments, Article – Criminal Procedure Section 11–616(a) and (c) through (e) Annotated Code of Maryland (2018 Replacement Volume and 2024 Supplement)
17 18 19 20 21	BY repealing and reenacting, with amendments, Article – Criminal Procedure Section 11–616(b) Annotated Code of Maryland (2018 Replacement Volume and 2024 Supplement)
22 23	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Criminal Law

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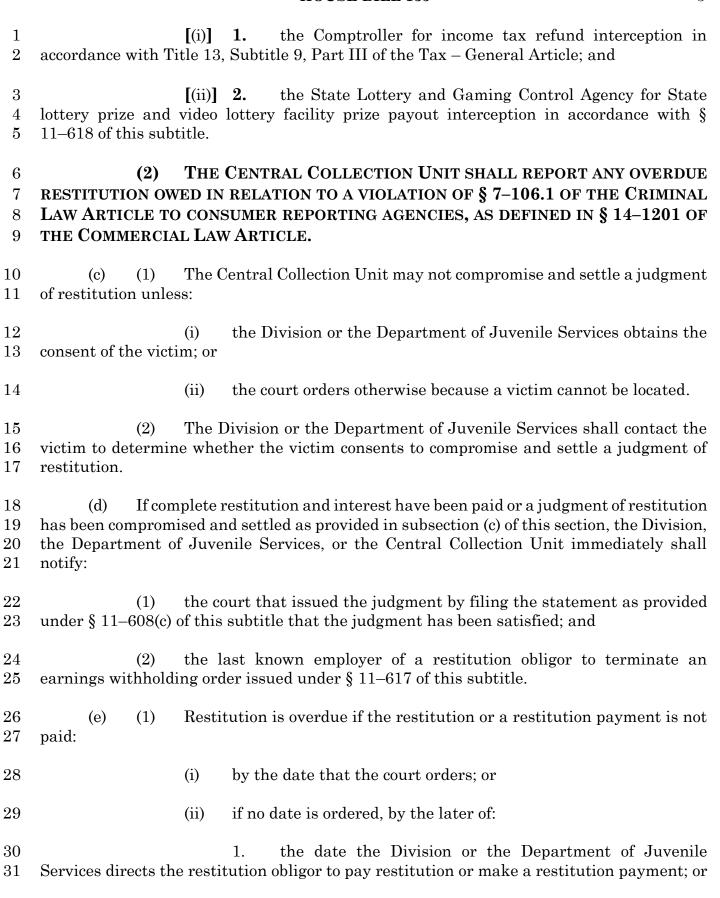


1 **7–106.1.**

- 2 (A) IN THIS SECTION, "MAIL OR PACKAGE" MEANS AN ITEM DELIVERED OR 3 LEFT TO BE COLLECTED BY THE UNITED STATES POSTAL SERVICE OR A DELIVERY 4 SERVICE COMPANY THAT DELIVERS TANGIBLE PERSONAL PROPERTY.
- 5 (B) A PERSON MAY NOT KNOWINGLY OR WILLFULLY AND WITHOUT 6 PERMISSION OF THE INTENDED RECIPIENT OF THE MAIL OR PACKAGE OBTAIN OR 7 EXERT CONTROL OVER MAIL OR A PACKAGE DELIVERED TO ANOTHER WITH THE 8 INTENT TO DEPRIVE THE OWNER OF THE MAIL OR PACKAGE.
- 9 (C) (1) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A FELONY 10 AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 5 YEARS.
- 11 (2) AS A CONDITION OF SENTENCING, THE COURT SHALL ORDER THE 12 DEFENDANT TO:
- 13 (I) RESTORE THE MAIL OR PACKAGE TAKEN TO THE PERSON TO 14 WHOM THE MAIL OR PACKAGE IS ADDRESSED; OR
- 15 (II) PAY RESTITUTION FOR THE VALUE OF THE MAIL OR 16 PACKAGE UNDER TITLE 11, SUBTITLE 6 OF THE CRIMINAL PROCEDURE ARTICLE.

17 Article - Criminal Procedure

- 18 11-616.
- 19 (a) The Division or the Department of Juvenile Services:
- 20 (1) in addition to other actions authorized under Part I of this subtitle, may 21 refer an overdue restitution account for collection to the Central Collection Unit; and
- 22 (2) if probation or other supervision is terminated and restitution is still owed, shall refer the overdue restitution account for collection to the Central Collection Unit.
- 25 (b) (1) Subject to subsection (c) of this section, the Central Collection Unit 26 may:
- [(1)] (I) collect overdue restitution in accordance with Title 3, Subtitle 3 of the State Finance and Procurement Article; and
- [(2)] (II) certify a restitution obligor who is in arrears on restitution payments exceeding \$30 under the judgment of restitution to:



30 days after the court enters a judgment of restitution.

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- 1 (2) If restitution is overdue, the amount of the arrearage is the amount of restitution ordered and any interest allowed by law, minus any amount previously paid or received under the judgment of restitution.
- SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 5 October 1, 2025.