

HOUSE BILL 177

E1

51r0969

(PRE-FILED)

By: **Delegate Conaway**

Requested: September 26, 2024

Introduced and read first time: January 8, 2025

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Theft and Opening of Mail and Packages**

3 FOR the purpose of requiring a court to notify the United States Postmaster General of
4 certain convictions; prohibiting the theft of mail or packages from intended
5 recipients; and generally relating to theft and opening of mail and packages.

6 BY repealing and reenacting, with amendments,

7 Article – Criminal Law

8 Section 3–905

9 Annotated Code of Maryland

10 (2021 Replacement Volume and 2024 Supplement)

11 BY adding to

12 Article – Criminal Law

13 Section 7–106.1

14 Annotated Code of Maryland

15 (2021 Replacement Volume and 2024 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

17 That the Laws of Maryland read as follows:

18 **Article – Criminal Law**

19 3–905.

20 (a) A person may not take and break open a letter that is not addressed to the
21 person without permission from the person to whom the letter is addressed or the personal
22 representative of the addressee's estate.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 (1) is subject to imprisonment for 6 days and a fine of \$15; AND

4 (2) SHALL PAY ANY ADMINISTRATIVE COSTS RELATED TO
5 SUBSECTION (C) OF THIS SECTION.

6 (C) FOR A CONVICTION UNDER THIS SECTION INVOLVING THE OPENING OF
7 A LETTER DELIVERED OR INTENDED FOR DELIVERY BY THE UNITED STATES
8 POSTAL SERVICE, THE COURT SHALL PROMPTLY NOTIFY THE UNITED STATES
9 POSTMASTER GENERAL OF THE CONVICTION.

10 7-106.1.

11 (A) IN THIS SECTION, "MAIL OR PACKAGE" MEANS AN ITEM DELIVERED OR
12 LEFT TO BE COLLECTED BY THE UNITED STATES POSTAL SERVICE OR A DELIVERY
13 SERVICE COMPANY THAT DELIVERS TANGIBLE PERSONAL PROPERTY.

14 (B) A PERSON MAY NOT KNOWINGLY OR WILLFULLY AND WITHOUT
15 PERMISSION OF THE INTENDED RECIPIENT OF THE MAIL OR PACKAGE OBTAIN OR
16 EXERT CONTROL OVER MAIL OR A PACKAGE DELIVERED TO OR INTENDED FOR
17 DELIVERY TO ANOTHER WITH THE INTENT TO DEPRIVE THE OTHER OF THE MAIL OR
18 PACKAGE.

19 (C) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A FELONY AND
20 ON CONVICTION:

21 (1) IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 5 YEARS; AND

22 (2) SHALL PAY ANY ADMINISTRATIVE COSTS RELATED TO
23 SUBSECTION (D) OF THIS SECTION.

24 (D) FOR A CONVICTION UNDER THIS SECTION INVOLVING A LETTER OR
25 PACKAGE DELIVERED OR INTENDED FOR DELIVERY BY THE UNITED STATES
26 POSTAL SERVICE, THE COURT SHALL PROMPTLY NOTIFY THE UNITED STATES
27 POSTMASTER GENERAL OF THE CONVICTION.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 October 1, 2025.