Department of Legislative Services

Maryland General Assembly 2025 Session

FISCAL AND POLICY NOTE First Reader

House Bill 291 Judiciary

(Delegate Conaway)

Criminal Law - Taking and Breaking Open Letters - Penalty

This bill increases, from \$15 to \$500, the maximum fine for violating the prohibition against taking and opening a letter addressed to another person without the other person's permission.

Fiscal Summary

State Effect: Potential minimal increase in general fund revenues from fines imposed in the District Court. Expenditures are not affected.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law:

Opening a Letter without Permission

Section 3-905 of the Criminal Law Article prohibits a person from taking and breaking open a letter that is not addressed to them without permission from the person to whom the letter is addressed or the personal representative of the addressee's estate. A violator is guilty of a misdemeanor and subject to imprisonment for six days and a fine of \$15.

Theft-related Statutes

In addition to the State's general theft statute, which imposes graduated penalties based on the value of the stolen property or services, it is also a federal crime to steal or receive stolen mail, as specified under 18 USC § 1708. On conviction, a violator is subject to a fine and/or a maximum penalty of five years imprisonment.

Additional Comments: According to the Judiciary, during fiscal 2023, there were 18 violations and 0 convictions for opening a letter without permission in the District Court. There were 20 violations and 1 guilty disposition for this offense in the District Court during fiscal 2024.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

Information Source(s): Judiciary (Administrative Office of the Courts); Office of the Public Defender; Department of Legislative Services

Fiscal Note History: First Reader - January 19, 2025 km/aad

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