

**Department of Legislative Services**  
Maryland General Assembly  
2025 Session

**FISCAL AND POLICY NOTE**  
**First Reader**

House Bill 79  
Judiciary

(Delegate Conaway)

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**Criminal Law - Mailing of Fake, Fraudulent, or Altered Documents - Prohibition**

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This bill prohibits a person from knowingly sending fake, fraudulent, or altered documents through the mail. Violators are guilty of a misdemeanor punishable by imprisonment for up to one year and/or a fine of up to \$1,000.

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**Fiscal Summary**

**State Effect:** The bill is not anticipated to materially affect State operations or finances.

**Local Effect:** The bill is not anticipated to materially affect local government operations or finances.

**Small Business Effect:** None.

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**Analysis**

**Current Law:**

*Federal Mail Fraud Statute – 18 U.S.C. § 1341*

In general, the federal mail fraud statute prohibits the use of the United States Postal Service (USPS) or an interstate carrier for the pursuit of a variety of fraudulent activity, ranging from simple scams to complex corporate frauds. To prove mail fraud, an individual must have devised a scheme to defraud and used USPS or an interstate carrier to execute or further that scheme. These cases are prosecuted at the federal level, and violators are guilty of a felony punishable by imprisonment for up to 20 years and/or a fine of up to \$250,000 per offense. If the mail fraud is found to involve a financial institution or

federal disaster relief, the maximum sentence is imprisonment for up to 30 years and/or a fine of up to \$1 million per offense.

*Maryland Fraud Statutes – In General*

Title 8 of the Criminal Law Article prohibits an individual from committing a variety of fraudulent activity including obtaining property or services by bad check, credit card crimes, identity fraud, commercial fraud, public fraud, and counterfeiting; none of these criminal prohibitions require specific use of the mail to commit the fraud. Title 8 includes felonies and misdemeanors subject to a range of penalties. For example, use of simulated documents to induce payment is a misdemeanor punishable by a maximum fine of \$100 (first offense) or \$500 (subsequent offense). Issuing a counterfeit private instrument or document is a felony, punishable by imprisonment for up to 10 years and/or a \$1,000 maximum fine.

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**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; Maryland State’s Attorneys’ Association; Department of Public Safety and Correctional Services; U.S. Department of Justice; Department of Legislative Services

**Fiscal Note History:** First Reader - January 19, 2025  
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