

HOUSE BILL 159

E1
HB 805/25 – JUD

(PRE-FILED)

6lr1238
CF SB 171

By: **Delegate Solomon**

Requested: October 17, 2025

Introduced and read first time: January 14, 2026

Assigned to: Judiciary

Committee Report: Favorable

House action: Adopted

Read second time: March 9, 2026

CHAPTER _____

1 AN ACT concerning

2 **Mail Theft**

3 FOR the purpose of altering the prohibition against taking and breaking open a letter;
4 prohibiting the theft of mail under certain circumstances; prohibiting a person from
5 possessing an arrow key under certain circumstances; providing for concurrent
6 jurisdiction in the District Court and circuit court to try a violation of this Act; and
7 generally relating to theft of mail and packages.

8 BY repealing and reenacting, with amendments,
9 Article – Courts and Judicial Proceedings
10 Section 4–301 and 4–302
11 Annotated Code of Maryland
12 (2020 Replacement Volume and 2025 Supplement)

13 BY repealing
14 Article – Criminal Law
15 Section 3–905
16 Annotated Code of Maryland
17 (2021 Replacement Volume and 2025 Supplement)

18 BY adding to
19 Article – Criminal Law
20 Section 3–905 and 3–905.1
21 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



(2021 Replacement Volume and 2025 Supplement)

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

Article – Courts and Judicial Proceedings

4–301.

(a) Except as provided in §§ 3–803 and 3–8A–03 of this article and 4–302 of this subtitle, the District Court has exclusive original jurisdiction in a criminal case in which a person at least 16 years old or a corporation is charged with violation of the vehicle laws, or the State Boat Act, or regulations adopted pursuant to the vehicle laws or State Boat Act.

(b) Except as provided in § 4–302 of this subtitle, the District Court also has exclusive original jurisdiction in a criminal case in which a person at least 18 years old or a corporation is charged with:

(1) Commission of a common-law or statutory misdemeanor regardless of the amount of money or value of the property involved;

(2) Violation of § 7–104, § 7–105, § 7–107, or § 7–108 of the Criminal Law Article, whether a felony or a misdemeanor;

(3) Violation of a county, municipal, or other ordinance, if the violation is not a felony;

(4) Criminal violation of a State, county, or municipal rule or regulation, if the violation is not a felony;

(5) Doing or omitting to do any act made punishable by a fine, imprisonment, or other penalty as provided by the particular law, ordinance, rule, or regulation defining the violation if the violation is not a felony;

(6) Violation of § 8–103 of the Criminal Law Article, whether a felony or a misdemeanor;

(7) Violation of § 8–203, § 8–204, § 8–205, § 8–206, § 8–207, § 8–208, or § 8–209 of the Criminal Law Article, whether a felony or misdemeanor;

(8) Forgery or violation of Title 8, Subtitle 6 of the Criminal Law Article, whether a felony or misdemeanor;

(9) Violation of Title 27, Subtitle 4 of the Insurance Article, whether a felony or a misdemeanor;

- 1 (10) Violation of § 9–1106 of the Labor and Employment Article;
- 2 (11) Violation of § 8–301 of the Criminal Law Article, whether a felony or
3 misdemeanor;
- 4 (12) Violation of § 2–209 of the Criminal Law Article;
- 5 (13) Violation of Title 2, Subtitle 5 of the Criminal Law Article;
- 6 (14) Violation of Title 11, Subtitle 5 of the Financial Institutions Article;
- 7 (15) Violation of § 10–604, § 10–605, § 10–606, § 10–607, § 10–607.1, or §
8 10–608 of the Criminal Law Article, whether a felony or misdemeanor;
- 9 (16) Violation of Title 7, Subtitle 3, Part III of the Criminal Law Article,
10 whether a felony or misdemeanor;
- 11 (17) Violation of § 20–102 of the Transportation Article, whether a felony or
12 misdemeanor;
- 13 (18) Violation of § 8–801 of the Criminal Law Article;
- 14 (19) Violation of § 8–604 of the Criminal Law Article;
- 15 (20) Violation of Title 8, Subtitle 2, Part II of the Criminal Law Article;
- 16 (21) Violation of § 16–801, § 16–802, § 16–803, or § 16–804 of the Election
17 Law Article;
- 18 (22) Violation of § 3–203(c) of the Criminal Law Article;
- 19 (23) Violation of § 11–208 of the Criminal Law Article as a second or
20 subsequent offense;
- 21 (24) Violation of § 11–721 of the Criminal Procedure Article as a second or
22 subsequent offense; [or]
- 23 (25) Violation of § 3–1102(b) or § 3–1103 of the Criminal Law Article; **OR**
- 24 **(26) VIOLATION OF § 3–905 OR § 3–905.1 OF THE CRIMINAL LAW**
25 **ARTICLE.**
- 26 4–302.

27 (a) Except as provided in § 4–301(b)(2), (6), (7), (8), (9), (10), (11), (12), (13), (14),
28 (15), (16), (17), (18), (19), (20), (21), (22), (23), (24), [and] (25), **AND (26)** of this subtitle, the

1 District Court does not have jurisdiction to try a criminal case charging the commission of
2 a felony.

3 (b) Except as provided in § 4–303 of this subtitle, the District Court does not have
4 criminal jurisdiction to try a case in which a juvenile court has exclusive original
5 jurisdiction.

6 (c) The jurisdiction of the District Court is concurrent with that of the juvenile
7 court in any criminal case arising under the compulsory public school attendance laws of
8 this State.

9 (d) (1) Except as provided in paragraph (2) of this subsection, the jurisdiction
10 of the District Court is concurrent with that of the circuit court in a criminal case:

11 (i) In which the penalty may be confinement for 3 years or more or
12 a fine of \$2,500 or more; or

13 (ii) That is a felony, as provided in § 4–301(b)(2), (6), (7), (8), (9), (10),
14 (11), (12), (13), (14), (15), (16), (17), (18), (19), (20), (21), (22), (23), (24), [and] (25), AND (26)
15 of this subtitle.

16 (2) (i) Except as provided in subparagraph (ii) of this paragraph, a
17 circuit court does not have jurisdiction to try a case charging a violation of § 5–601 or §
18 5–620 of the Criminal Law Article.

19 (ii) A circuit court does have jurisdiction to try a case charging a
20 violation of § 5–601 or § 5–620 of the Criminal Law Article if the defendant:

21 1. Properly demands a jury trial;

22 2. Appeals as provided by law from a final judgment entered
23 in the District Court; or

24 3. Is charged with another offense arising out of the same
25 circumstances that is within a circuit court's jurisdiction.

26 (e) (1) The District Court is deprived of jurisdiction if a defendant is entitled
27 to and demands a jury trial at any time prior to trial in the District Court.

28 (2) (i) Except as provided in subparagraph (ii) of this paragraph, unless
29 the penalty for the offense with which the defendant is charged permits imprisonment for
30 a period in excess of 90 days, a defendant is not entitled to a jury trial in a criminal case.

31 (ii) Notwithstanding the provisions of subparagraph (i) of this
32 paragraph, the presiding judge of the District Court may deny a defendant a jury trial if:

1 **(B) A PERSON MAY NOT KNOWINGLY AND INTENTIONALLY OPEN MAIL**
2 **ADDRESSED TO ANOTHER WITHOUT THE PERMISSION OF THE OTHER OR THE**
3 **OTHER'S AUTHORIZED REPRESENTATIVE OR DESIGNEE.**

4 **(C) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR**
5 **AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 1 MONTH OR**
6 **A FINE OF \$1,000 OR BOTH.**

7 **3-905.1.**

8 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**
9 **INDICATED.**

10 **(2) "ARROW KEY" MEANS A KEY DESIGNED EXCLUSIVELY FOR**
11 **ALLOWING AN EMPLOYEE OF THE U.S. POSTAL SERVICE OR A COMMON CARRIER OR**
12 **DELIVERY SERVICE TO ACCESS A MAILBOX OR OTHER DEPOSITORY FOR STORING**
13 **MAIL.**

14 **(3) "MAIL" HAS THE MEANING STATED IN § 3-905 OF THIS SUBTITLE.**

15 **(B) (1) A PERSON MAY NOT COMMIT THEFT UNDER § 7-104 OF THIS**
16 **ARTICLE INVOLVING AT LEAST 1 BUT FEWER THAN 16 ITEMS OF MAIL.**

17 **(2) A PERSON MAY NOT COMMIT THEFT UNDER § 7-104 OF THIS**
18 **ARTICLE INVOLVING 16 OR MORE ITEMS OF MAIL.**

19 **(3) A PERSON MAY NOT COMMIT THEFT UNDER § 7-104 OF THIS**
20 **ARTICLE INVOLVING ONE OR MORE ITEMS OF MAIL USING AN ARROW KEY.**

21 **(C) A PERSON MAY NOT POSSESS AN ARROW KEY WITH THE INTENT TO USE**
22 **OR ALLOW THE USE OF THE ARROW KEY IN THE COMMISSION OF A VIOLATION OF**
23 **THIS SECTION.**

24 **(D) (1) A PERSON WHO VIOLATES SUBSECTION (B)(1) OF THIS SECTION IS**
25 **GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT**
26 **NOT EXCEEDING 6 MONTHS OR A FINE NOT EXCEEDING \$1,000 OR BOTH.**

27 **(2) A PERSON WHO VIOLATES SUBSECTION (B)(2) OF THIS SECTION IS**
28 **GUILTY OF A FELONY AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT**
29 **EXCEEDING 2 YEARS OR A FINE NOT EXCEEDING \$2,000 OR BOTH.**

1 **(3) A PERSON WHO VIOLATES SUBSECTION (B)(3) OF THIS SECTION IS**
2 **GUILTY OF A FELONY AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT**
3 **EXCEEDING 5 YEARS OR A FINE NOT EXCEEDING \$5,000 OR BOTH.**

4 **(4) A PERSON WHO VIOLATES SUBSECTION (C) OF THIS SECTION IS**
5 **GUILTY OF A FELONY AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT**
6 **EXCEEDING 3 YEARS OR A FINE NOT EXCEEDING \$3,000 OR BOTH.**

7 **(E) A SENTENCE IMPOSED UNDER THIS SECTION MAY BE SEPARATE FROM**
8 **AND CONSECUTIVE TO OR CONCURRENT WITH A SENTENCE FOR ANY OTHER CRIME**
9 **BASED ON THE ACTS ESTABLISHING A VIOLATION OF THIS SECTION.**

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 October 1, 2026.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.