

HOUSE BILL 757

E1, E2
HB 64/25 – JUD

6lr3153

By: **Delegate Conaway**

Introduced and read first time: February 4, 2026

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Theft of Mail and Packages and Victim Notification**

3 FOR the purpose of prohibiting the theft of mail or packages; requiring the prosecuting
4 attorney prosecuting a violation of this Act to notify the victim or the victim's
5 representative about certain information related to the court proceedings; and
6 generally relating to theft of mail and packages.

7 BY adding to

8 Article – Criminal Law

9 Section 7–106.1

10 Annotated Code of Maryland

11 (2021 Replacement Volume and 2025 Supplement)

12 BY repealing and reenacting, with amendments,

13 Article – Criminal Procedure

14 Section 11–104

15 Annotated Code of Maryland

16 (2025 Replacement Volume)

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

18 That the Laws of Maryland read as follows:

19 **Article – Criminal Law**

20 **7–106.1.**

21 (A) IN THIS SECTION, “MAIL OR PACKAGE” MEANS AN ITEM DELIVERED OR
22 LEFT TO BE COLLECTED BY THE U.S. POSTAL SERVICE OR A DELIVERY SERVICE
23 COMPANY THAT DELIVERS TANGIBLE PERSONAL PROPERTY.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (B) A PERSON MAY NOT KNOWINGLY OR WILLFULLY AND WITHOUT
2 PERMISSION OF THE INTENDED RECIPIENT OF THE MAIL OR PACKAGE OBTAIN OR
3 EXERT CONTROL OVER MAIL OR A PACKAGE DELIVERED TO ANOTHER WITH THE
4 INTENT TO DEPRIVE THE OWNER OF THE MAIL OR PACKAGE.

5 (C) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A FELONY AND
6 ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 5 YEARS.

Article – Criminal Procedure

8 11-104.

(a) (1) In this section the following words have the meanings indicated.

(2) "DNA" has the meaning stated in § 2-501 of the Public Safety Article.

11 (3) "Statewide DNA database system" has the meaning stated in § 2-501
12 of the Public Safety Article.

13 (4) "Victim" means a person who suffers actual or threatened physical,
14 emotional, or financial harm as a direct result of a crime or delinquent act.

15 (5) "Victim's representative" includes a family member or guardian of a
16 victim who is:

17 (i) a minor;

18 (ii) deceased; or

19 (iii) disabled.

20 (b) On first contact with a victim or victim's representative, a law enforcement
21 officer, District Court commissioner, or juvenile intake officer shall give the victim or the
22 victim's representative the pamphlet described in § 11-914(9)(i) of this title.

23 (c) Unless to do so would impede or compromise an ongoing investigation or the
24 victim's representative is a suspect or a person of interest in the criminal investigation of
25 the crime involving the victim, on written request of a victim of a crime of violence as
26 defined in § 14-101 of the Criminal Law Article or the victim's representative, the
27 investigating law enforcement agency shall give the victim or the victim's representative
28 timely notice as to:

29 (1) whether an evidentiary DNA profile was obtained from evidence in the
30 case;

(2) when any evidentiary DNA profile developed in the case was entered into the DNA database system; and

(3) when any confirmed match of the DNA profile, official DNA case report, or DNA hit report is received.

5 (d) (1) Within 10 days after the filing or the unsealing of an indictment or
6 information in circuit court, whichever is later, the prosecuting attorney shall:

(i) mail or deliver to the victim or victim's representative the pamphlet described in § 11-914(9)(ii) of this title and the notification request form described in § 11-914(10) of this title; and

10 (ii) certify to the clerk of the court that the prosecuting attorney has
11 complied with this paragraph or is unable to identify the victim or victim's representative.

(i) inform the victim or victim's representative of the right to request restitution under § 11–606 of this title;

(ii) mail or deliver to the victim or victim's representative the notification request form described in § 11-914(10) of this title; and

19 (iii) certify to the clerk of the juvenile court that the prosecuting
20 attorney has complied with this paragraph or is unable to identify the victim or victim's
21 representative.

(3) For cases described under this subsection, the prosecuting attorney may provide a State's witness in the case with the guidelines for victims, victims' representatives, and witnesses available under §§ 11–1001 through 11–1004 of this title.

25 (e) (1) A victim or victim's representative may:

26 (i) file a completed notification request form with the prosecuting
27 attorney; or

28 (ii) follow the MDEC system protocol to request notice.

32 (ii) If the jurisdiction has implemented the MDEC system and the
33 victim or victim's representative has filed a completed notification request form, the

1 prosecuting attorney shall electronically file the form with the clerk of the circuit court or
2 juvenile court in the MDEC system.

3 (3) By filing a completed notification request form or completing the MDEC
4 system protocol, a victim or victim's representative complies with Article 47 of the
5 Maryland Declaration of Rights and each provision of the Code that requires a victim or
6 victim's representative to request notice.

7 (4) To keep the address and electronic mail address of a victim or victim's
8 representative confidential, the victim or victim's representative shall:

9 (i) designate in the notification request form a person who has
10 agreed to receive notice for the victim or victim's representative; or

11 (ii) request as part of the MDEC system protocol, without filing a
12 motion to seal, that the address and electronic mail address remain confidential and
13 available, as necessary to only:

14 1. the court;
15 2. the prosecuting attorney;
16 3. the Department of Public Safety and Correctional
17 Services;

18 4. the Department of Juvenile Services;
19 5. the attorney of the victim or victim's representative;
20 6. the State's Victim Information and Notification Everyday
21 vendor; and

22 7. a commitment unit that a court orders to retain custody of
23 an individual.

24 (f) (1) Unless provided by the MDEC system, the prosecuting attorney shall
25 send a victim or victim's representative prior notice of each court proceeding in the case, of
26 the terms of any plea agreement, and of the right of the victim or victim's representative to
27 submit a victim impact statement to the court under § 11-402 of this title if:

28 (i) prior notice is practicable; and

29 (ii) the victim or victim's representative has filed a notification
30 request form or followed the MDEC system protocol under subsection (e) of this section.

(2) (i) If the case is in a jurisdiction in which the office of the clerk of the circuit court or juvenile court has an automated filing system, the prosecuting attorney may ask the clerk to send the notice required by paragraph (1) of this subsection.

13 (i) the victim or victim's representative has filed a notification
14 request form or followed the MDEC system protocol under subsection (e) of this section and
15 prior notice to the victim or victim's representative is not practicable; or

16 (ii) the victim or victim's representative is not present at the
17 proceeding.

(4) Whether or not the victim or victim's representative has filed a notification request form or followed the MDEC system protocol under subsection (e) of this section, the prosecuting attorney may give the victim or victim's representative information about the status of the case if the victim or victim's representative asks for the information.

(I) EACH COURT PROCEEDING RELATED TO THE CASE:

31 (III) ANY POSTTRIAL COURT PROCEEDINGS:

32 (IV) ANY APPEAL RELATED TO THE CASE; AND

(v) ANY SENTENCE REVIEW RELATED TO THE CASE

4 (1) shall include a copy of the form with any commitment order or
5 probation order that is passed or electronically transmit the form or the registration
6 information for the victim or the victim's representative through the MDEC system; and

11 (h) This section does not prohibit a victim or victim's representative from filing a
12 notification request form with a unit to which a defendant or child respondent has been
13 committed.

18 (i) the prosecuting attorney, if the case is still in a circuit court or
19 juvenile court; or

(ii) the unit to which the defendant or child respondent has been committed, if a commitment order has been issued in the case.

22 (2) After following the MDEC system protocol for electronic notices, a
23 victim or victim's representative may discontinue further notices by following the MDEC
24 system protocol to terminate notice.

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