

HOUSE BILL 847

E1, N1
HB 154/25 – JUD

6lr3163

By: **Delegate Conaway**

Introduced and read first time: February 4, 2026

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Fraud – Possession of Residential Real Property**

3 FOR the purpose of prohibiting a person from possessing or claiming a right to possess
4 residential real property the person does not lawfully possess or own with the intent
5 to defraud another; authorizing the owner of certain residential real property to file
6 a certain sworn affidavit and requiring a law enforcement officer to remove a certain
7 person from residential real property under certain circumstances; providing that
8 this Act does not prohibit the owner of residential real property from filing a wrongful
9 detainer action; and generally relating to fraudulent possession of residential real
10 property.

11 BY adding to
12 Article – Criminal Law
13 Section 8–906
14 Annotated Code of Maryland
15 (2021 Replacement Volume and 2025 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 **8–906.**

20 **(A) A PERSON MAY NOT, WITH INTENT TO DEFRAUD ANOTHER, POSSESS OR**
21 **CLAIM A RIGHT TO POSSESS RESIDENTIAL REAL PROPERTY THE PERSON DOES NOT**
22 **LAWFULLY POSSESS OR OWN.**

23 **(B) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR**
24 **AND ON CONVICTION IS SUBJECT TO:**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



6 (3) FOR EACH SUBSEQUENT VIOLATION OCCURRING WITHIN 2 YEARS
7 AFTER THE PRECEDING VIOLATION, IMPRISONMENT NOT EXCEEDING 1 YEAR OR A
8 FINE NOT EXCEEDING \$2,500 OR BOTH.

9 (c) (1) THIS SUBSECTION DOES NOT APPLY IF:

10 (I) THE PERSON IN ACTUAL POSSESSION OF THE RESIDENTIAL
11 REAL PROPERTY HAS BEEN GRANTED POSSESSION UNDER A COURT ORDER; OR

12 (II) A REMEDY IS AVAILABLE UNDER TITLE 8 OF THE REAL
13 PROPERTY ARTICLE.

29 (D) THIS SECTION DOES NOT PROHIBIT THE OWNER OF RESIDENTIAL REAL
30 PROPERTY FROM FILING A SUIT UNDER § 14-132 OF THE REAL PROPERTY ARTICLE.

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