



Maryland State's Attorneys' Association

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DATE: **January 17, 2025**

BILL NUMBER: **HB 79**

POSITION: **Unfavorable**

The Maryland State's Attorneys' Association (MSAA) opposes House Bill 79 and urges this Committee to issue an unfavorable report.

HB 79 criminalizes the sending of fake, fraudulent, or altered documents through the mail. Although well-intentioned, this bill, as currently drafted, is unlikely to survive constitutional scrutiny. Without a provision restricting the law's application to situations in which an individual is sending fake documents through the mail with the intent to defraud another, the bill would arguably apply to a great deal of lawful, and constitutionally-protected, conduct.

MSAA appreciates the efforts of the General Assembly to protect Marylanders from those who would commit crimes by mailing fraudulent documents. While Maryland's prosecutors are eager to work together with legislators to address this issue, MSAA cannot support HB 79 as currently drafted.