

HON. STACY A. MAYER
CIRCUIT COURT
JUDGE
BALTIMORE COUNTY
CHAIR

HON. RICHARD SANDY
CIRCUIT COURT
JUDGE
FREDERICK COUNTY
VICE-CHAIR



KELLEY O'CONNOR
ASSISTANT STATE COURT
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MARYLAND JUDICIAL COUNCIL LEGISLATIVE COMMITTEE

MEMORANDUM

TO: House Judiciary Committee
FROM: Legislative Committee
Suzanne Pelz, Esq.
(410) 260-1523
RE: House Bill 767
Criminal Law - Theft and Opening of Mail and Packages
DATE: February 11, 2026
(2/17)
POSITION: Oppose, only as to the mandatory provision noted below

The Maryland Judiciary opposes the mandatory provisions in House Bill 767. This bill makes the theft of mail or packages a felony crime in Maryland and requires the Judiciary to notify the Postmaster General of the United States of any convictions of this crime. The Judiciary takes no position on that policy aim as it is within the constitutional authority of the legislative branch.

The Judiciary is concerned about the mandatory sentencing condition in §7-106.1(c)(2) which requires the court to order an individual to pay any administrative costs related to notification by the courts to the United States Postmaster General. The Judiciary traditionally opposes legislation that includes mandatory provisions upon the court. The Judiciary believes it is important for judges to weigh the facts and circumstances for each individual case when imposing a sentence. Additionally, it is not clear what these “administrative costs” would entail or how they could be calculated.

cc. Hon. Frank Conaway
Judicial Council
Legislative Committee
Kelley O'Connor