

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
ADMINISTRATOR
GOVERNMENT RELATIONS
AND PUBLIC AFFAIRS
P: (410) 260-1560

SUZANNE PELZ, ESQ.
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MARYLAND JUDICIAL COUNCIL LEGISLATIVE COMMITTEE

MEMORANDUM

TO: House Judiciary Committee
FROM: Legislative Committee
Suzanne D. Pelz, Esq.
410-260-1523
RE: House Bill 786
Criminal Law – Theft – Mail and Packages (Porch Piracy Act of
2026)
DATE: February 11, 2026
(2/17)
POSITION: Oppose

The Maryland Judiciary opposes the mandatory provisions in House Bill 786 on page 2, line 7 through 12. The Judiciary would have no opposition to that provision if the “shall” was amended to “may.” 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.

In addition, it is not clear how the court could order the conditions set out in §7-106.1 (c)(2). It may not be possible to order restoration of the mail or package that was taken. Further, the victim may have already received compensation for the loss in the form of a refund from the vendor or an insurance payout. Although the court understands the desire to compensate an individual, this provision should not be mandatory as compensation may not be requested in all cases.

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