Chapter 399

(House Bill 130)

AN ACT concerning

~~Criminal Law – Deed Fraud – Prohibition, Deed Fraud Prevention Grant Fund, and~~ Task Force to Study Deed Fraud

FOR the purpose of ~~prohibiting the intentional fraudulent sale, conveyance, or lease or attempted sale, conveyance, or lease of real property by a person who does not own the real property; prohibiting the acquisition, sale, or conveyance or the attempted acquisition, sale, or conveyance of real property by deception, intimidation, threat, or undue influence; establishing the Deed Fraud Prevention Grant Fund;~~ establishing the Task Force to Study Deed Fraud; and generally relating to deed fraud.

~~BY adding to~~
~~Article – Courts and Judicial Proceedings~~
~~Section 5–106(kk)~~
~~Annotated Code of Maryland~~
~~(2020 Replacement Volume and 2025 Supplement)~~

~~BY repealing and reenacting, with amendments,~~
~~Article – Criminal Law~~
~~Section 8–601~~
~~Annotated Code of Maryland~~
~~(2021 Replacement Volume and 2025 Supplement)~~

~~BY adding to~~
~~Article – Criminal Law~~
~~Section 8–906~~
~~Annotated Code of Maryland~~
~~(2021 Replacement Volume and 2025 Supplement)~~

~~BY repealing and reenacting, with amendments,~~
~~Article – Public Safety~~
~~Section 2–307~~
~~Annotated Code of Maryland~~
~~(2022 Replacement Volume and 2025 Supplement)~~

~~BY adding to~~
~~Article – Public Safety~~
~~Section 2–801 and 2–802 to be under the new subtitle "Subtitle 8. Deed Fraud Prevention Grant Fund"~~
~~Annotated Code of Maryland~~

~~(2022 Replacement Volume and 2025 Supplement)~~

~~BY repealing and reenacting, without amendments,~~
~~Article – State Finance and Procurement~~
~~Section 6–226(a)(2)(i) and (ii)~~
~~Annotated Code of Maryland~~
~~(2021 Replacement Volume and 2025 Supplement)~~

~~BY repealing and reenacting, with amendments,~~
~~Article – State Finance and Procurement~~
~~Section 6–226(a)(2)(iii)212. and 213.~~
~~Annotated Code of Maryland~~
~~(2021 Replacement Volume and 2025 Supplement)~~

~~BY adding to~~
~~Article – State Finance and Procurement~~
~~Section 6–226(a)(2)(iii)214.~~
~~Annotated Code of Maryland~~
~~(2021 Replacement Volume and 2025 Supplement)~~

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That ~~the Laws of Maryland read as follows~~:

~~Article – Courts and Judicial Proceedings~~

~~5–106.~~

~~(KK) A PROSECUTION FOR A VIOLATION OF § 8–906(C) OF THE CRIMINAL LAW ARTICLE SHALL BE INSTITUTED WITHIN 1 YEAR AFTER THE VICTIM OF THE OFFENSE KNEW OR REASONABLY SHOULD HAVE KNOWN THAT THE FRAUD OCCURRED.~~

~~Article – Criminal Law~~

~~8–601.~~

~~(a) A person, with intent to defraud another, may not counterfeit, cause to be counterfeited, or willingly aid or assist in counterfeiting any:~~

~~(1) bond;~~

~~(2) check;~~

~~(3) [deed;~~

~~(4)~~**]** ~~draft;~~

[~~(5)~~**] (4)** ~~endorsement or assignment of a bond, draft, check, or promissory note;~~

[~~(6)~~**] (5)** ~~entry in an account book or ledger;~~

[~~(7)~~**] (6)** ~~letter of credit;~~

[~~(8)~~**] (7)** ~~negotiable instrument;~~

[~~(9)~~**] (8)** ~~power of attorney;~~

[~~(10)~~**] (9)** ~~promissory note;~~

[~~(11)~~**] (10)** ~~release or discharge for money or property;~~

[~~(12)~~**] (11)** ~~title to a motor vehicle;~~

[~~(13)~~**] (12)** ~~waiver or release of mechanics' lien; or~~

[~~(14)~~**] (13)** ~~will or codicil.~~

~~(b) A person may not knowingly, willfully, and with fraudulent intent possess a counterfeit of any of the items listed in subsection (a) of this section.~~

~~(c) (1) A person who violates subsection (a) of this section is guilty of a felony and on conviction is subject to imprisonment not exceeding 10 years or a fine not exceeding $1,000 or both.~~

~~(2) A person who violates subsection (b) of this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 3 years or a fine not exceeding $1,000 or both.~~

~~(d) Notwithstanding any other provision of law, the prosecution of an alleged violation of this section or for an alleged violation of a crime based on an act that establishes a violation of this section may be commenced in any county in which:~~

~~(1) an element of the crime occurred;~~

~~(2) the **[**deed or other**]** alleged counterfeit instrument is recorded in the county land records, filed with the clerk of the circuit court, or filed with the register of wills;~~

~~(3) the victim resides; or~~

~~(4) if the victim is not an individual, the victim conducts business.~~

~~**8–906.**~~

~~**(A) A PERSON, WITH INTENT TO DEFRAUD ANOTHER, MAY NOT:**~~

~~**(1) CLAIM TO SELL OR CONVEY OR ATTEMPT TO SELL OR CONVEY REAL PROPERTY THAT THE GRANTOR DOES NOT OWN;**~~

~~**(2) CLAIM TO SELL OR CONVEY OR ATTEMPT TO SELL OR CONVEY REAL PROPERTY THAT THE GRANTOR LACKS SUFFICIENT AUTHORITY TO TRANSFER;**~~

~~**(3) CLAIM TO LEASE OR ATTEMPT TO LEASE REAL PROPERTY THAT BELONGS TO ANOTHER;**~~

~~**(4) OBTAIN OR ATTEMPT TO OBTAIN, OR SELL OR CONVEY, OR ATTEMPT TO SELL OR CONVEY THE REAL PROPERTY OF ANOTHER THROUGH THE EXECUTION OF A DEED BY THE RIGHTFUL OWNER OF THE PROPERTY BY DECEPTION, INTIMIDATION, THREAT, OR UNDUE INFLUENCE;**~~

~~**(5) COUNTERFEIT A DEED OR CAUSE A DEED TO BE COUNTERFEITED; OR**~~

~~**(6) RECORD A DEED OR CAUSE A DEED TO BE RECORDED IN FURTHERANCE OF A VIOLATION OF THIS SECTION.**~~

~~**(B) A PERSON MAY NOT AID OR ASSIST ANOTHER IN A VIOLATION OF SUBSECTION (A) OF THIS SECTION.**~~

~~**(C) A PERSON MAY NOT KNOWINGLY, WILLFULLY, AND WITH FRAUDULENT INTENT POSSESS A COUNTERFEIT DEED.**~~

~~**(D) (1) A PERSON WHO VIOLATES SUBSECTION (A) OR (B) OF THIS SECTION IS GUILTY OF A FELONY AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 10 YEARS OR A FINE NOT EXCEEDING $7,500 OR BOTH.**~~

~~**(2) A PERSON WHO VIOLATES SUBSECTION (C) OF THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 3 YEARS OR A FINE NOT EXCEEDING $7,500 OR BOTH.**~~

~~(E) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE PROSECUTION OF AN ALLEGED VIOLATION OF THIS SECTION OR FOR AN ALLEGED VIOLATION OF A CRIME BASED ON AN ACT THAT ESTABLISHES A VIOLATION OF THIS SECTION MAY BE COMMENCED IN ANY COUNTY IN WHICH:~~

~~(1) AN ELEMENT OF THE CRIME OCCURRED;~~

~~(2) THE DEED IS RECORDED IN THE COUNTY LAND RECORDS;~~

~~(3) THE VICTIM RESIDES; OR~~

~~(4) IF THE VICTIM IS NOT AN INDIVIDUAL, THE VICTIM CONDUCTS BUSINESS.~~

~~(F) FINES COLLECTED UNDER THIS SECTION SHALL BE PAID INTO THE DEED FRAUD PREVENTION GRANT FUND UNDER § 2–802 OF THE PUBLIC SAFETY ARTICLE.~~

~~**Article – Public Safety**~~

~~2–307.~~

~~(a) (1) The Department shall collect, analyze, and disseminate:~~

~~(i) information about the incidence of crime in the State, INCLUDING DISAGGREGATED INFORMATION ON INCIDENTS OF FRAUD WITH SPECIFIC INFORMATION ON VIOLATIONS OF § 8–906 OF THE CRIMINAL LAW ARTICLE; and~~

~~(ii) information, including race and sex, on the total number of law enforcement employees, de–identified and disaggregated by:~~

~~1. position for civilian employees; and~~

~~2. rank for sworn employees.~~

~~(2) Each law enforcement agency shall provide the Department with the information described in paragraph (1) of this subsection in the format that the Secretary requires.~~

~~(b) (1) The Department shall collect and analyze information about incidents apparently directed against an individual or group because of race, color, religious beliefs, sexual orientation, gender, disability, national origin, or homelessness.~~

~~(2) Each local law enforcement agency and the State Fire Marshal shall provide the Department with the information described in paragraph (1) of this subsection.~~

~~(3) The Department shall adopt procedures for the collection and analysis of the information described in paragraph (1) of this subsection.~~

~~(4) The Department shall make quarterly reports to the Commission on Civil Rights about the information described in paragraph (1) of this subsection.~~

~~SUBTITLE 8. DEED FRAUD PREVENTION GRANT FUND.~~

~~2–801.~~

~~(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.~~

~~(B) "DEED FRAUD" MEANS A VIOLATION OF § 8–906 OF THE CRIMINAL LAW ARTICLE.~~

~~(C) "FUND" MEANS THE DEED FRAUD PREVENTION GRANT FUND.~~

~~2–802.~~

~~(A) THERE IS A DEED FRAUD PREVENTION GRANT FUND.~~

~~(B) THE PURPOSE OF THE FUND IS TO PROVIDE GRANTS TO:~~

~~(1) AID STATE AND LOCAL LAW ENFORCEMENT AGENCIES IN IDENTIFYING AND PREVENTING DEED FRAUD;~~

~~(2) SUPPORT LEGAL SERVICES FOR VICTIMS OF DEED FRAUD, IN COORDINATION WITH THE MARYLAND LEGAL SERVICES CORPORATION; AND~~

~~(3) OFFER EMERGENCY HOUSING ASSISTANCE TO DISPLACED VICTIMS OF DEED FRAUD.~~

~~(C) THE DEPARTMENT SHALL ADMINISTER THE FUND.~~

~~(D) THE DEPARTMENT, IN COORDINATION WITH THE MARYLAND LEGAL SERVICES CORPORATION, MAY ESTABLISH STANDARDS TO DETERMINE ELIGIBILITY FOR GRANTS UNDER THE FUND.~~

~~(E) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7–302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.~~

~~(2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.~~

~~(F) THE FUND CONSISTS OF:~~

~~(1) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;~~

~~(2) FINES COLLECTED UNDER § 8–906 OF THE CRIMINAL LAW ARTICLE;~~

~~(3) INTEREST EARNINGS; AND~~

~~(4) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR THE BENEFIT OF THE FUND.~~

~~(G) THE FUND MAY BE USED ONLY TO:~~

~~(1) CARRY OUT THE PURPOSES OF THIS SUBTITLE; AND~~

~~(2) PAY FOR THE ADMINISTRATIVE EXPENSES OF OPERATING THE FUND.~~

~~(H) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.~~

~~(2) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO THE FUND.~~

~~(I) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE WITH THE STATE BUDGET.~~

~~(J) MONEY EXPENDED FROM THE FUND IS SUPPLEMENTAL TO AND IS NOT INTENDED TO TAKE THE PLACE OF FUNDING THAT OTHERWISE WOULD BE APPROPRIATED FOR DEED FRAUD PREVENTION.~~

~~(K) IN FISCAL YEAR 2028, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF $200,000 TO THE FUND.~~

~~Article – State Finance and Procurement~~

~~6–226.~~

~~(a) (2) (i) This paragraph does not apply in fiscal years 2024 through 2028.~~

~~(ii) Notwithstanding any other provision of law, and unless inconsistent with a federal law, grant agreement, or other federal requirement or with the terms of a gift or settlement agreement, net interest on all State money allocated by the State Treasurer under this section to special funds or accounts, and otherwise entitled to receive interest earnings, as accounted for by the Comptroller, shall accrue to the General Fund of the State.~~

~~(iii) The provisions of subparagraph (ii) of this paragraph do not apply to the following funds:~~

~~212. the Department of Social and Economic Mobility Special Fund; [and]~~

~~213. the Population Health Improvement Fund; AND~~

~~214. THE DEED FRAUD PREVENTION GRANT FUND.~~

~~SECTION 2. AND BE IT FURTHER ENACTED, That:~~

(a) There is a Task Force to Study Deed Fraud.

(b) The Task Force consists of the following members:

(1) ~~the Attorney General, or the Attorney General's designee~~ *one representative of the Maryland State's Attorneys' Association, designated by the President of the Association*;

(2) one representative of the Judiciary, designated by the Chief Justice of the Supreme Court of Maryland;

(3) the Director of the State Department of Assessments and Taxation, or the Director's designee;

(4) the Executive Director of the Maryland Legal Services Corporation, or the Executive Director's designee;

(5) the Secretary of Housing and Community Development, or the Secretary's designee; and

(6) the following members, appointed by the Governor:

(i) one representative of the land title insurance industry; and

(ii) one individual with experience as a notary public.

(c) The Governor shall designate the chair of the Task Force.

(d) The ~~Administrative Office of the Courts~~ ~~Office of the Attorney General~~ *Department of Legislative Services* shall provide staff for the Task Force.

(e) A member of the Task Force:

(1) may not receive compensation as a member of the Task Force; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) The Task Force shall:

(1) study incidents of deed fraud in Maryland, including the number of deed fraud complaints, the number of resolved deed fraud cases, the amount of restitution awarded, and geographic and demographic trends;

(2) study how deed fraud is combatted in other states;

(3) identify patterns used by perpetrators of deed fraud and patterns in demographics of victims of deed fraud;

(4) develop recommendations for deed fraud detection tools;

(5) conduct an analysis on victims of deed fraud that identifies the economic impact on victims; and

(6) make recommendations for combatting deed fraud in the State, including strategies for intergovernmental coordination to more effectively detect and prevent deed fraud.

(g) On or before July 1, 2028, the Task Force shall report its findings and recommendations to the General Assembly in accordance with § 2–1257 of the State Government Article.

SECTION ~~3.~~ 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2026. ~~Section 2 of this Act~~ It shall remain effective for a period of 2 years and, at the end of September 30, 2028, Section 2 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.

Approved by the Governor, May 12, 2026.