

Defined terms: "Counterfeit" § 1-101

"Person" § 1-101

8-605. COUNTERFEITING OF PUBLIC DOCUMENTS.

(A) PROHIBITED.

(1) A PERSON, WITH INTENT TO DEFRAUD ANOTHER, MAY NOT COUNTERFEIT, OR CAUSE TO BE COUNTERFEITED, OR WILLINGLY AID OR ASSIST IN COUNTERFEITING:

(I) A COMMISSION, PATENT, OR PARDON; OR

(II) A WARRANT, CERTIFICATE, OR OTHER PUBLIC SECURITY FROM WHICH MONEY MAY BE DRAWN FROM THE TREASURY OF THE STATE.

(2) A PERSON, WITH INTENT TO DEFRAUD ANOTHER, MAY NOT PRINT, WRITE, SIGN, OR PASS A COUNTERFEIT WARRANT, CERTIFICATE, OR PUBLIC SECURITY IF THE PERSON KNOWS THAT IT WAS COUNTERFEITED.

(B) PENALTY.

A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A FELONY AND ON CONVICTION IS SUBJECT TO IMPRISONMENT FOR NOT LESS THAN 2 YEARS AND NOT EXCEEDING 10 YEARS.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 45.

In subsection (a)(1) and (2) of this section, the references to the intent to defraud "another" are substituted for the former references to the intent to defraud "any person" for consistency within this subtitle.

Also in subsection (a)(1) and (2) of this section, the former references to a person "or persons" are deleted in light of Art. 1, § 8, which provides that the singular generally includes the plural.

Also in subsection (a)(1) and (2) of this section, the defined term "counterfeit" is substituted for the former reference to "falsely mak[ing], forg[ing], or counterfeit[ing]" specified public documents, although use of the defined term also includes "falsely made" documents. Any such "materially altered" document would constitute a "counterfeit" document under current law. No substantive change is intended.

In subsection (a)(2) of this section, the former reference to a person "be[ing] concerned in" printing, writing, signing, or passing a forged public document is deleted as implicit in the reference to a person "print[ing], writ[ing], sign[ing], or pass[ing]" the document.

In subsection (b) of this section, the reference to a person being "subject to imprisonment" is substituted for the former reference to a person being "sentenced to the penitentiary" for consistency within this article. Currently, inmates are sentenced to the custody of a unit such as the