

the reference to a person's intent to "defraud" the owner.

In subsection (c) of this section, the former reference to a person being convicted "before any court of competent jurisdiction" is deleted as implicit since only a court with criminal jurisdiction would be competent to convict a person.

Also in subsection (c) of this section, the former reference to a sentence being "in the discretion of the court" is deleted as implicit in the reference to a person being "subject to" a fine and imprisonment.

Defined terms: "Counterfeit" § 1-101

"Person" § 1-101

GENERAL REVISOR'S NOTE TO SUBTITLE

Former Art. 27, § 53, which prohibited forgery of stock certificates issued by the State of Maryland, is repealed as obsolete. The certificates, originally issued to finance the Maryland penitentiary under legislation enacted in 1821 and 1834, are no longer outstanding. *See* Letter of Advice from Attorney General J. Joseph Curran, Jr. to Judge Alan M. Wilner, p. 17 (October 17, 2000).

Former Art. 27, § 54, which prohibited forgery or counterfeiting of cannery tokens used in agricultural and fisheries packing industries, is repealed as obsolete. *See* Letter of Advice from Attorney General J. Joseph Curran, Jr. to Judge Alan M. Wilner, p. 17 (October 17, 2000).

SUBTITLE 7. CRIMES AGAINST ESTATES.

8-701. EMBEZZLING, ALTERING WILL OR RECORD.

(A) PROHIBITED.

A PERSON MAY NOT WILLFULLY OR CORRUPTLY EMBEZZLE, STEAL, DESTROY, WITHDRAW, IMPAIR, OR ALTER A WILL, CODICIL, DEED, LAND PATENT OR ASSIGNMENT OF A LAND PATENT, OR A WRIT OF ADMINISTRATION, RETURN, RECORD, OR PART OF ANY OF THOSE DOCUMENTS IF AS A RESULT OF THAT ACT THE ESTATE OR RIGHT OF ANY PERSON MAY BE DEFEATED, INJURED, OR ALTERED.

(B) PENALTY.

A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT FOR NOT LESS THAN 3 YEARS AND NOT EXCEEDING 7 YEARS.

(C) STATUTE OF LIMITATIONS AND IN BANC REVIEW.

A PERSON WHO VIOLATES THIS SECTION IS SUBJECT TO § 5-106(B) OF THE COURTS ARTICLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 126.