

AN ACT concerning

**Criminal Law – Possessing Stolen Property**

FOR the purpose of providing that in a prosecution for theft by possessing stolen property, it is not a defense that the property was ~~obtained by certain means~~ provided by law enforcement as part of an investigation under certain circumstances; and generally relating to theft by possessing stolen property.

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 7–104(c)

Annotated Code of Maryland

(2002 Volume and 2007 Supplement)

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

**Article – Criminal Law**

7–104.

(c) (1) A person may not possess stolen personal property knowing that it has been stolen, or believing that it probably has been stolen, if the person:

(i) intends to deprive the owner of the property;

(ii) willfully or knowingly uses, conceals, or abandons the property in a manner that deprives the owner of the property; or

(iii) uses, conceals, or abandons the property knowing that the use, concealment, or abandonment probably will deprive the owner of the property.

(2) In the case of a person in the business of buying or selling goods, the knowledge required under this subsection may be inferred if:

(i) the person possesses or exerts control over property stolen from more than one person on separate occasions;

(ii) during the year preceding the criminal possession charged, the person has acquired stolen property in a separate transaction; or