

Department of Legislative Services
 Maryland General Assembly
 2026 Session

FISCAL AND POLICY NOTE
 Third Reader - Revised

House Bill 130
 Judiciary

(Delegate Ruff, *et al.*)

Judicial Proceedings

Task Force to Study Deed Fraud

This bill establishes the Task Force to Study Deed Fraud, to be staffed by the Office of the Attorney General (OAG). The task force must (1) study incidents of deed fraud in the State, including the number of complaints, resolved cases, restitution amounts, and geographic and demographic trends; (2) study how other states combat deed fraud; (3) identify patterns in the methods used by deed fraud perpetrators and patterns in the demographics of deed fraud victims; (4) develop recommendations for deed fraud detection tools; (5) conduct an analysis that identifies the economic impact of deed fraud 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. Members of the task force may not receive compensation but are entitled to reimbursement as provided in the State budget. The task force must report its findings and recommendations to the General Assembly by July 1, 2028. **The bill terminates September 30, 2028.**

Fiscal Summary

State Effect: OAG can staff the task force with existing budgeted resources. Any expense reimbursements for members of the task force are assumed to be minimal and absorbable within existing budgeted resources. Revenues are not affected.

Local Effect: The bill is not expected to affect local government operations or finances.

Small Business Effect: None.

Analysis

Current Law: A person, with intent to defraud another, may not counterfeit, cause to be counterfeited, or willingly aid or assist in counterfeiting specified instruments, including any:

- deed;
- draft;
- endorsement or assignments of a bond, draft, check, or promissory note;
- entry in an account book or ledger;
- letter of credit;
- negotiable instrument;
- power of attorney;
- promissory note;
- release or discharge for money or property;
- title to a motor vehicle;
- waiver or release of a mechanics' lien; or
- will or codicil.

Violators are guilty of a felony, punishable by imprisonment for up to 10 years and/or a \$1,000 maximum fine. Further, a person is also prohibited from knowingly, willfully, and with fraudulent intent possessing a counterfeit of any of the types of documents listed above. Violators are guilty of a misdemeanor, punishable by imprisonment for up to 3 years and/or a \$1,000 maximum fine.

A prosecution for an alleged violation of these prohibitions or an alleged violation of a crime based on an act that establishes a violation of these prohibitions 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.

Additional Comments: According to the Judiciary, in fiscal 2025, there were 726 violations (charges) filed and 31 guilty dispositions in the District Court for counterfeiting of private instruments and documents and possession of counterfeit instruments and documents. During fiscal 2025, there were 118 violations and 27 guilty dispositions in the circuit courts for those offenses. Data is not available on how many of these violations and dispositions involved deeds.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

Information Source(s): Howard and Prince George's counties; Office of the Attorney General; Maryland State Commission on Criminal Sentencing Policy; Judiciary (Administrative Office of the Courts); Office of the Public Defender; Department of State Police; Department of Budget and Management; Department of Public Safety and Correctional Services; Department of Legislative Services

Fiscal Note History: First Reader - February 2, 2026
jg/aad Third Reader - April 3, 2026
Revised - Amendment(s) - April 3, 2026

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