

HOUSE BILL 187

E1
HB 892/24 – JUD

(PRE-FILED)

5lr1268
CF SB 170

By: **Delegates Kaufman, Conaway, Fair, Feldmark, Jackson, T. Morgan, Pasteur, Pena-Melnyk, Stein, Tomlinson, and Williams**

Requested: October 18, 2024

Introduced and read first time: January 8, 2025

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Benefits Exploitation**

3 FOR the purpose of prohibiting a person from knowingly recruiting, harboring,
4 transporting, or obtaining an individual for the purpose of appropriating the
5 government benefits of an individual for the benefit of the person or another by
6 certain means; prohibiting a person from knowingly benefitting in a certain manner
7 from participation in a venture that violates a certain provision of this Act;
8 prohibiting a person from aiding, abetting, or conspiring with one or more persons to
9 violate a certain provision of this Act; and generally relating to benefits exploitation.

10 BY adding to

11 Article – Criminal Law

12 Section 8–524

13 Annotated Code of Maryland

14 (2021 Replacement Volume and 2024 Supplement)

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

17 **Article – Criminal Law**

18 **8–524.**

19 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**
20 **INDICATED.**

21 **(2) “COERCION” MEANS:**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(I) 1. CAUSING OR THREATENING TO CAUSE BODILY HARM**
2 **TO AN INDIVIDUAL; OR**

3 **2. PHYSICALLY RESTRAINING OR CONFINING OR**
4 **THREATENING TO PHYSICALLY RESTRAIN OR CONFINED AN INDIVIDUAL;**

5 **(II) EXPOSING OR DISSEMINATING OR THREATENING TO**
6 **EXPOSE OR DISSEMINATE ANY FACT OR INFORMATION THAT WOULD TEND TO**
7 **SUBJECT AN INDIVIDUAL TO CRIMINAL OR IMMIGRATION PROCEEDINGS, HATRED,**
8 **CONTEMPT, OR RIDICULE;**

9 **(III) DESTROYING, CONCEALING, REMOVING, CONFISCATING, OR**
10 **POSSESSING ANY ACTUAL OR PURPORTED PASSPORT OR OTHER IMMIGRATION**
11 **DOCUMENT, OR ANY OTHER ACTUAL OR PURPORTED GOVERNMENT IDENTIFICATION**
12 **DOCUMENT, OF AN INDIVIDUAL;**

13 **(IV) PROVIDING A CONTROLLED DANGEROUS SUBSTANCE TO AN**
14 **INDIVIDUAL FOR THE PURPOSE OF COMPELLING THE INDIVIDUAL TO ENGAGE IN AN**
15 **ACTION AGAINST THE INDIVIDUAL'S WILL;**

16 **(V) CAUSING OR THREATENING TO CAUSE FINANCIAL HARM TO**
17 **AN INDIVIDUAL OR EXERTING FINANCIAL CONTROL OVER A DISABLED OR ELDERLY**
18 **ADULT; OR**

19 **(VI) DEPRIVING AN INDIVIDUAL OF MEDICAL CARE.**

20 **(3) "CONTROLLED DANGEROUS SUBSTANCE" HAS THE MEANING**
21 **STATED IN § 5-101 OF THIS ARTICLE.**

22 **(4) "DECEPTION" MEANS:**

23 **(I) CREATING OR CONFIRMING ANOTHER PERSON'S**
24 **IMPRESSION OF AN EXISTING FACT OR PAST EVENT THAT IS FALSE AND THAT THE**
25 **ACCUSED KNOWS OR BELIEVES TO BE FALSE; OR**

26 **(II) PROMISING BENEFITS OR THE PERFORMANCE OF SERVICES**
27 **THAT THE ACCUSED DOES NOT INTEND TO DELIVER OR PERFORM OR KNOWS WILL**
28 **NOT BE DELIVERED OR PERFORMED.**

29 **(5) "EXPLOITATION" MEANS ILLEGALLY OR IMPROPERLY USING AN**
30 **INDIVIDUAL OR AN INDIVIDUAL'S GOVERNMENT BENEFITS THROUGH UNDUE**
31 **INFLUENCE, HARASSMENT, DURESS, FALSE REPRESENTATION, FALSE PRETENSE,**
32 **OR OTHER SIMILAR MEANS FOR PERSONAL PROFIT OR ADVANTAGE OR FOR THE**
33 **PROFIT OR ADVANTAGE OF ANOTHER.**

1 **(6) “GOVERNMENT BENEFITS” INCLUDES:**

2 **(I) MEDICARE BENEFITS;**

3 **(II) MEDICAID BENEFITS;**

4 **(III) TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF)**
5 **BENEFITS;**

6 **(IV) SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR**
7 **WOMEN, INFANTS, AND CHILDREN (WIC) BENEFITS;**

8 **(V) SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM**
9 **(SNAP) BENEFITS;**

10 **(VI) SOCIAL SECURITY BENEFITS;**

11 **(VII) SOCIAL SECURITY DISABILITY (SSDI) BENEFITS;**

12 **(VIII) VETERANS BENEFITS;**

13 **(IX) PENSION BENEFITS;**

14 **(X) TEMPORARY DISABILITY ASSISTANCE PROGRAM (TDAP)**
15 **BENEFITS; AND**

16 **(XI) PUBLIC ASSISTANCE TO ADULTS (PAA) BENEFITS.**

17 **(7) “ISOLATION” MEANS PREVENTING AN INDIVIDUAL FROM HAVING**
18 **CONTACT WITH FRIENDS OR FAMILY, A WELFARE AGENCY, LAW ENFORCEMENT**
19 **OFFICERS, HEALTH CARE PROVIDERS, OR OTHER INDIVIDUALS OR ENTITIES**
20 **WITHOUT THE KNOWLEDGE OF THE INDIVIDUAL OR AGAINST THE INDIVIDUAL’S**
21 **WISHES.**

22 **(B) (1) A PERSON MAY NOT, THROUGH DECEPTION, COERCION,**
23 **EXPLOITATION, ISOLATION, OR ANY OTHER MEANS, KNOWINGLY RECRUIT, HARBOR,**
24 **TRANSPORT, OR OBTAIN AN INDIVIDUAL FOR THE PURPOSE OF APPROPRIATING THE**
25 **GOVERNMENT BENEFITS OF AN INDIVIDUAL FOR PERSONAL BENEFIT OR TO**
26 **BENEFIT ANOTHER.**

27 **(2) A PERSON MAY NOT KNOWINGLY BENEFIT FINANCIALLY OR BY**
28 **RECEIVING ANYTHING OF VALUE FROM PARTICIPATION IN A VENTURE THAT**
29 **VIOLATES PARAGRAPH (1) OF THIS SUBSECTION.**

1 **(3) A PERSON MAY NOT AID, ABET, OR CONSPIRE WITH ONE OR MORE**
2 **PERSONS TO VIOLATE PARAGRAPH (1) OF THIS SUBSECTION.**

3 **(C) A PERSON WHO VIOLATES SUBSECTION (B) OF THIS SECTION IS GUILTY**
4 **OF A FELONY AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING**
5 **25 YEARS OR A FINE NOT EXCEEDING \$15,000 OR BOTH.**

6 **(D) (1) EACH VIOLATION OF THIS SECTION SHALL BE CONSIDERED A**
7 **SEPARATE OFFENSE.**

8 **(2) A CONVICTION UNDER THIS SECTION MAY NOT MERGE WITH A**
9 **CONVICTION FOR ANY OTHER CRIME BASED ON THE ACT ESTABLISHING THE**
10 **VIOLATION OF THIS SECTION.**

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 October 1, 2025.