

(b) IN ANY INDICTMENT, INFORMATION, WARRANT, OR OTHER CHARGING DOCUMENT FOR ~~MOTOR VEHICLE THEFT TAKING A MOTOR VEHICLE~~ IT IS SUFFICIENT TO USE A FORMULA SUBSTANTIALLY TO THE FOLLOWING EFFECT: "THAT A-B ON THE DAY OF, .., IN THE COUNTY (CITY) AFORESAID, ~~DID STEAL (HERE SPECIFY INTENT: 1. WITH THE INTENT TO PERMANENTLY DEPRIVE OR 2. FOR A B'S PRESENT USE AND NOT WITH THE INTENT OF APPROPRIATING OR CONVERTING THE MOTOR VEHICLE) THE MOTOR VEHICLE OF C-D KNOWINGLY AND WILLFULLY TAKE OUT OF C-D'S LAWFUL CUSTODY, CONTROL, OR USE A MOTOR VEHICLE, WITHOUT THE CONSENT OF C-D, IN VIOLATION OF ARTICLE 27, SECTION (HERE STATE SECTION VIOLATED) § 342A OF THE ANNOTATED CODE OF MARYLAND; CONTRARY TO THE FORM OF THE ACT OF ASSEMBLY IN SUCH CASE MADE AND PROVIDED AND AGAINST THE PEACE, GOVERNMENT, AND DIGNITY OF THE STATE."~~

(C) The obtaining of property or services by a bad check as defined in §§ 140 to 144 shall not be prosecuted as theft as defined in this subheading unless the defendant commits deception as provided in [~~§ 342~~] § 342 ~~OR § 342A~~ OF THIS SUBHEADING in addition to any false representation or false representations that there are sufficient funds in the drawee bank to cover the check. In any prosecution for theft, the presumptions defined in § 142 shall apply to the same extent as if the prosecution were under [~~§ 342~~] § 342 ~~OR § 342A~~ OF THIS SUBHEADING.

(D) IN ANY CASE IN THE CIRCUIT COURT IN WHICH THIS GENERAL FORM OF INDICTMENT OR INFORMATION IS USED TO CHARGE AN OFFENSE UNDER THIS SUBHEADING, THE DEFENDANT ON TIMELY DEMAND IS ENTITLED TO A BILL OF PARTICULARS.

349.

Any person or persons, his or their aiders or abettors who shall enter, or being upon the premises of any other person, body corporate or politic in the State, shall, against the will and consent of said person or persons, body corporate or politic or their agents, ~~wilfully~~ take and carry away any horse, mare, colt, gelding, mule, ass, sheep, hog, ox or cow, or any carriage, wagon, buggy, cart, boat, craft, vessel, or any other vehicle ~~NOT~~ including motor vehicle as defined in the laws of this State relating to such, or property whatsoever, or take and carry away out of the custody or use of any person or persons, body corporate or politic, or his or their agents, any of the above-enumerated property at whatsoever place the same may be found, shall upon conviction thereof in any of the courts of this State having criminal jurisdiction be adjudged guilty of a misdemeanor, and shall restore the property so taken and carried away, or, if unable so to do, shall pay to the owner or owners the full value thereof, and be fined not less than fifty nor more than one hundred dollars, or be imprisoned in the county or city jail, or the house of correction, for not less than six months nor more than four years, or be both fined and imprisoned as aforesaid, in the discretion of the court, although it may appear from the evidence that such person or persons, his or their aiders and abettors, took and carried away the property or any portion of the same enumerated in this section, for his or their present use, and not with the intent of appropriating or converting the same.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1995.