

SENATE BILL 196
EMERGENCY BILL

Unofficial Copy
P5

2001 Regular Session
11r0221

By: **The President (Department of Legislative Services)**

Introduced and read first time: January 22, 2001

Assigned to: Rules

Committee Report: Favorable

Senate action: Adopted

Read second time: February 7, 2001

CHAPTER 29

1 AN ACT concerning

2

Annual Corrective Bill

3 FOR the purpose of correcting certain errors and omissions in certain articles of the
4 Annotated Code and in certain uncodified laws; clarifying language; correcting
5 certain obsolete references; providing that this Act is not intended to affect any
6 law other than to correct technical errors; repealing certain provisions of law;
7 renumbering certain sections of the Annotated Code; reorganizing certain
8 sections of the Annotated Code; validating and ratifying certain corrections
9 made by the publisher of the Annotated Code; providing for the future correction
10 of certain errors and obsolete provisions by the publisher of the Annotated Code;
11 providing for the effect and construction of certain provisions of this Act;
12 providing for a delayed effective date for certain provisions of this Act; and
13 making this Act an emergency measure.

14 BY repealing and reenacting, with amendments,
15 Article 2B - Alcoholic Beverages
16 Section 2-101(m)(7) and (o)(5), 6-201(r)(13)(v), 9-102(b-5), 9-103, 16-407, and
17 16-410(d)(3) and (4)
18 Annotated Code of Maryland
19 (1998 Replacement Volume and 2000 Supplement)

20 BY repealing and reenacting, without amendments,
21 Article 2B - Alcoholic Beverages
22 Section 9-102(a-1)
23 Annotated Code of Maryland
24 (1998 Replacement Volume and 2000 Supplement)

25 BY repealing and reenacting, with amendments,
26 Article 23A - Corporations - Municipal
27 Section 2B(a)(1), (b)(4), and (c)(1)

1 Annotated Code of Maryland
2 (1998 Replacement Volume and 2000 Supplement)

3 BY repealing and reenacting, with amendments,
4 Article 27 - Crimes and Punishments
5 Section 156C(a), 255C(e)(3)(ii) and (q)(10), and 727(b)(10)
6 Annotated Code of Maryland
7 (1996 Replacement Volume and 2000 Supplement)

8 BY repealing and reenacting, without amendments,
9 Article 27 - Crimes and Punishments
10 Section 230A(b)(1)
11 Annotated Code of Maryland
12 (1996 Replacement Volume and 2000 Supplement)

13 BY repealing and reenacting, with amendments,
14 Article 33 - Election Code
15 Section 2-204(b)(2)(i), 5-203(a)(1), 9-210(i), and 13-213(a) and (d)
16 Annotated Code of Maryland
17 (1997 Replacement Volume and 2000 Supplement)

18 BY repealing and reenacting, without amendments,
19 Article 38A - Fires and Investigations
20 Section 45C(b)(1)
21 Annotated Code of Maryland
22 (1997 Replacement Volume and 2000 Supplement)

23 BY repealing and reenacting, with amendments,
24 Article 38A - Fires and Investigations
25 Section 46A(e)(2)(ii)
26 Annotated Code of Maryland
27 (1997 Replacement Volume and 2000 Supplement)

28 BY repealing and reenacting, with amendments,
29 Article 41 - Governor - Executive and Administrative Departments
30 Section 4-201(a)(8)(iii)1.
31 Annotated Code of Maryland
32 (1997 Replacement Volume and 2000 Supplement)

33 BY repealing and reenacting, without amendments,
34 Article 66B - Land Use
35 Section 1.00(a) and the subtitle "General Provisions" immediately preceding
36 Section 1.00 and 1.01; 3.06(b), 4.09, 7.01(a)(1) and the subtitle
37 "Miscellaneous Provisions" immediately preceding Section 7.01; 8.03(b)(2),
38 8.16(d), and 14.05(f)(2)
39 Annotated Code of Maryland

- 1 (1998 Replacement Volume and 2000 Supplement)
- 2 BY repealing and reenacting, with amendments,
3 Article 66B - Land Use
4 Section 3.05(d)(2) and 6.01(f)
5 Annotated Code of Maryland
6 (1998 Replacement Volume and 2000 Supplement)
- 7 BY repealing and reenacting, without amendments,
8 Article 83A - Department of Business and Economic Development
9 Section 5-919(g) and 5-1404(c)(9)
10 Annotated Code of Maryland
11 (1998 Replacement Volume and 2000 Supplement)
- 12 BY repealing and reenacting, without amendments,
13 Article 88A - Department of Human Resources
14 Section 48(e) and 54(i)(4)
15 Annotated Code of Maryland
16 (1998 Replacement Volume and 2000 Supplement)
- 17 BY repealing and reenacting, without amendments,
18 Article 88B - Department of State Police
19 Section 81(a)(1) and the subtitle "Cease Fire Council"
20 Annotated Code of Maryland
21 (1998 Replacement Volume and 2000 Supplement)
- 22 BY repealing and reenacting, with amendments,
23 Article - Agriculture
24 Section 2-106(a), 2-514(c), 3-303(b)(3), and 8-804(a)(2)(ii)
25 Annotated Code of Maryland
26 (1999 Replacement Volume and 2000 Supplement)
- 27 BY repealing and reenacting, with amendments,
28 Article - Agriculture
29 Section 2-517(c)
30 Annotated Code of Maryland
31 (1999 Replacement Volume and 2000 Supplement)
32 (As enacted by Chapter 634 of the Acts of the General Assembly of 2000)
- 33 BY repealing and reenacting, without amendments,
34 Article - Agriculture
35 Section 9-801(b) and 9-805(c)(1)
36 Annotated Code of Maryland

- 1 (1999 Replacement Volume and 2000 Supplement)
- 2 BY repealing and reenacting, with amendments,
3 Article - Business Occupations and Professions
4 Section 5-605(b)(1), 11-506(c)(2) and (d)(2), and 16-311(b)(2)
5 Annotated Code of Maryland
6 (2000 Replacement Volume and 2000 Supplement)
- 7 BY repealing and reenacting, with amendments,
8 Article - Business Regulation
9 Section 4.5-203(a)(3) and (b)(2), 4.5-303(b)(6), 4.5-502(c), 6-205(f)(3) and (4),
10 9A-101(l)(2), and 17-1804(d)(1)(ii)
11 Annotated Code of Maryland
12 (1998 Replacement Volume and 2000 Supplement)
- 13 BY repealing and reenacting, without amendments,
14 Article - Business Regulation
15 Section 11-515(e) and 11-515.1
16 Annotated Code of Maryland
17 (1998 Replacement Volume and 2000 Supplement)
- 18 BY repealing and reenacting, with amendments,
19 Article - Business Regulation
20 Section 11-803(b)
21 Annotated Code of Maryland
22 (1998 Replacement Volume and 2000 Supplement)
23 (As enacted by Chapter 309 of the Acts of the General Assembly of 2000)
- 24 BY repealing and reenacting, with amendments,
25 Article - Commercial Law
26 Section 1-201(37)(a)(i) and 9-322(b)
27 Annotated Code of Maryland
28 (1997 Replacement Volume and 2000 Supplement)
29 (As enacted by Chapter 282 of the Acts of the General Assembly of 1999)
- 30 BY repealing
31 Article - Commercial Law
32 Section 9-525(d)
33 Annotated Code of Maryland
34 (1997 Replacement Volume and 2000 Supplement)
35 (As enacted by Chapter 324 of the Acts of the General Assembly of 2000)

1 BY repealing and reenacting, without amendments,
2 Article - Commercial Law
3 Section 11-5A-01(a), 22-209(a)(4), and 22-814(b)(4)
4 Annotated Code of Maryland
5 (2000 Replacement Volume and 2000 Supplement)

6 BY repealing and reenacting, with amendments,
7 Article - Commercial Law
8 Section 11-5A-01(b), (c), (d), and (e), 14-101(e)(7), and 14-1903(d)
9 Annotated Code of Maryland
10 (2000 Replacement Volume and 2000 Supplement)

11 BY repealing and reenacting, with amendments,
12 Article - Commercial Law
13 Section 22-613(c)(2)
14 Annotated Code of Maryland
15 (2000 Replacement Volume and 2000 Supplement)
16 (As enacted by Chapter 11 of the Acts of the General Assembly of 2000)

17 BY repealing and reenacting, with amendments,
18 Article - Corporations and Associations
19 Section 2-104(b)(1), (4), (5), (6), and (8) and 2-203(a)
20 Annotated Code of Maryland
21 (1999 Replacement Volume and 2000 Supplement)

22 BY repealing and reenacting, without amendments,
23 Article - Corporations and Associations
24 Section 10-208(e)(1)(v)
25 Annotated Code of Maryland
26 (1999 Replacement Volume and 2000 Supplement)

27 BY repealing and reenacting, with amendments,
28 Article - Correctional Services
29 Section 8-205(a)
30 Annotated Code of Maryland
31 (1999 Volume and 2000 Supplement)

32 BY repealing and reenacting, without amendments,
33 Article - Courts and Judicial Proceedings
34 Section 3-801(x)(1)
35 Annotated Code of Maryland
36 (1998 Replacement Volume and 2000 Supplement)

1 BY repealing and reenacting, without amendments,
2 Article - Courts and Judicial Proceedings
3 Section 8-106
4 Annotated Code of Maryland
5 (1998 Replacement Volume and 2000 Supplement)
6 (As enacted by Chapter 652 of the Acts of the General Assembly of 2000)

7 BY repealing and reenacting, with amendments,
8 Article - Courts and Judicial Proceedings
9 Section 3-808(b) and (d), 3-810(e)(1), 5-606(a)(4), and 8-202(1)
10 Annotated Code of Maryland
11 (1998 Replacement Volume and 2000 Supplement)

12 BY repealing and reenacting, without amendments,
13 Article - Education
14 Section 4-306.2(g)(5), 16-505(g)(2)(i), and 18-2503(7)
15 Annotated Code of Maryland
16 (1999 Replacement Volume and 2000 Supplement)

17 BY repealing and reenacting, with amendments,
18 Article - Education
19 Section 7-208(c)(2)(i), 13-517(f)(3) and (n)(4), 18-704(a)(2) and (3), and
20 18-707(a)(5)(iii)
21 Annotated Code of Maryland
22 (1999 Replacement Volume and 2000 Supplement)

23 BY repealing and reenacting, with amendments,
24 Article - Environment
25 Section 2-901(b)(2)
26 Annotated Code of Maryland
27 (1996 Replacement Volume and 2000 Supplement)

28 BY repealing and reenacting, with amendments,
29 Article - Estates and Trusts
30 Section 7-401(cc)(1)(iv)
31 Annotated Code of Maryland
32 (1991 Replacement Volume and 2000 Supplement)

33 BY repealing and reenacting, without amendments,
34 Article - Estates and Trusts
35 Section 15-508(d)(2) and 15-522(a)(3)
36 Annotated Code of Maryland
37 (1991 Replacement Volume and 2000 Supplement)

1 BY repealing and reenacting, with amendments,
2 Article - Family Law
3 Section 5-1207(a)
4 Annotated Code of Maryland
5 (1999 Replacement Volume and 2000 Supplement)

6 BY repealing and reenacting, with amendments,
7 Article - Financial Institutions
8 Section 13-720 and 13-1028
9 Annotated Code of Maryland
10 (1998 Replacement Volume and 2000 Supplement)

11 BY repealing and reenacting, without amendments,
12 Article - Health - General
13 Section 4-302.1(b), 4-307(e)(5), 5-805(d)(3), 8-6C-02(b), 15-602(b),
14 18-106(f)(2), 19-703(c), 19-703.1(b)(2), and 21-801(a)
15 Annotated Code of Maryland
16 (2000 Replacement Volume)

17 BY repealing and reenacting, with amendments,
18 Article - Health - General
19 Section 7-910(b), 8-6C-03(b), 13-904(c)(1), 13-1101(p), 13-1109(a), 13-1112(a),
20 13-1114(d)(1), 13-1116(b)(2), 13-1117(c)(2), 15-102.3(d), 18-213(a)(3)(ix),
21 18-213.2(a)(8)(ix), 19-134(g)(2), 19-730(a)(1), and 19-1407(a)
22 Annotated Code of Maryland
23 (2000 Replacement Volume)

24 BY repealing and reenacting, without amendments,
25 Article - Health - General
26 Section 15-301.1(c)(1)(vi)
27 Annotated Code of Maryland
28 (2000 Replacement Volume)
29 (As enacted by Chapters 15 and 16 of the Acts of the General Assembly of 2000)

30 BY repealing and reenacting, with amendments,
31 Article - Health Occupations
32 Section 4-308(c)(2)(iii) and 14-503(c)
33 Annotated Code of Maryland
34 (2000 Replacement Volume)

35 BY repealing and reenacting, without amendments,
36 Article - Health Occupations
37 Section 8-7B-01(g), 10-101(p)(1)(v), and 10-319(c)

1 Annotated Code of Maryland
2 (2000 Replacement Volume)

3 BY repealing and reenacting, with amendments,
4 Article - Insurance
5 Section 4-311(a) and (c), 15-1406(c), and 17-203(a)
6 Annotated Code of Maryland
7 (1997 Volume and 2000 Supplement)

8 BY repealing and reenacting, without amendments,
9 Article - Insurance
10 Section 15-10D-02(f)(2) and (i)(2) and 15-1210(a)(1)
11 Annotated Code of Maryland
12 (1997 Volume and 2000 Supplement)

13 BY repealing and reenacting, without amendments,
14 Article - Insurance
15 Section 15-1208(c) and (d)
16 Annotated Code of Maryland
17 (1997 Volume and 2000 Supplement)
18 (As enacted by Chapters 15 and 16 of the Acts of the General Assembly of 2000)

19 BY repealing
20 Article - Labor and Employment
21 Section 5-308.1
22 Annotated Code of Maryland
23 (1999 Replacement Volume and 2000 Supplement)

24 BY repealing and reenacting, with amendments,
25 Article - Labor and Employment
26 Section 5-1001 and 9-410(b)
27 Annotated Code of Maryland
28 (1999 Replacement Volume and 2000 Supplement)

29 BY repealing and reenacting, with amendments,
30 Article - Natural Resources
31 Section 4-306 Article III Section 7 and 5-906(a)
32 Annotated Code of Maryland
33 (2000 Replacement Volume)

34 BY repealing and reenacting, without amendments,
35 Article - Natural Resources
36 Section 8-712.1(c) and 10-906(f)(2)

1 Annotated Code of Maryland
2 (2000 Replacement Volume)

3 BY repealing and reenacting, with amendments,
4 Article - Public Utility Companies
5 Section 2-103(a) and 9-311(a)(4)(iii)
6 Annotated Code of Maryland
7 (1998 Volume and 2000 Supplement)

8 BY repealing and reenacting, with amendments,
9 Article - Real Property
10 Section 8-401(b)(4)(i)
11 Annotated Code of Maryland
12 (1996 Replacement Volume and 2000 Supplement)

13 BY repealing and reenacting, with amendments,
14 Article - State Finance and Procurement
15 Section 3-407(a)(2)(viii), 5-814(a)(7)(iv), and 13-212(b)
16 Annotated Code of Maryland
17 (1995 Replacement Volume and 2000 Supplement)

18 BY repealing and reenacting, without amendments,
19 Article - State Finance and Procurement
20 Section 13-225(b)(1)
21 Annotated Code of Maryland
22 (1995 Replacement Volume and 2000 Supplement)

23 BY repealing and reenacting, without amendments,
24 Article - State Government
25 Section 8-403(b)(19) through (68), inclusive, 9-111(d)(2), and 12-101(a)(2)(vii)
26 Annotated Code of Maryland
27 (1999 Replacement Volume and 2000 Supplement)

28 BY repealing and reenacting, with amendments,
29 Article - State Government
30 Section 9-1210, 9-2204(c)(3)(iv), 13-304, and 15-601(c)(1)
31 Annotated Code of Maryland
32 (1999 Replacement Volume and 2000 Supplement)

33 BY repealing and reenacting, with amendments,
34 Article - State Personnel and Pensions
35 Section 8-301(b), 9-1203(c)(1)(ii), 26-201(a)(2), 26-202(b)(1)(ii), 37-203.1(b)(1),
36 and 38-104(b)(2)(i)3.

- 1 Annotated Code of Maryland
2 (1997 Replacement Volume and 2000 Supplement)
- 3 BY repealing and reenacting, without amendments,
4 Article - State Personnel and Pensions
5 Section 23-214(b) and 26-302(a)
6 Annotated Code of Maryland
7 (1997 Replacement Volume and 2000 Supplement)
- 8 BY repealing and reenacting, with amendments,
9 Article - Tax - General
10 Section 2-107, 2-1302.1(b), 10-209(a)(2), and 11-206(g)(1)
11 Annotated Code of Maryland
12 (1997 Replacement Volume and 2000 Supplement)
- 13 BY repealing and reenacting, without amendments,
14 Article - Tax - General
15 Section 10-207(s)(2)
16 Annotated Code of Maryland
17 (1997 Replacement Volume and 2000 Supplement)
- 18 BY repealing and reenacting, without amendments,
19 Article - Tax - Property
20 Section 9-229(a)(3) and (d)(1) and 14-902(a)(2)
21 Annotated Code of Maryland
22 (1994 Replacement Volume and 2000 Supplement)
- 23 BY repealing and reenacting, with amendments,
24 Article - Tax - Property
25 Section 9-318(c)(7), 9-325, 12-108(a)(2), and 13-207(a)(17)
26 Annotated Code of Maryland
27 (1994 Replacement Volume and 2000 Supplement)
- 28 BY repealing and reenacting, with amendments,
29 Article - Transportation
30 Section 2-103(f)(2)(ii)5. and (g)(2)(ii)5., 2-103.1(k), 2-603(c)(2), and
31 8-309(e)(2)(iii) and (3)
32 Annotated Code of Maryland
33 (1993 Replacement Volume and 2000 Supplement)
- 34 BY repealing and reenacting, without amendments,
35 Article - Transportation
36 Section 2-605 and 3-216(c)(2)(i)

1 Annotated Code of Maryland
2 (1993 Replacement Volume and 2000 Supplement)

3 BY repealing and reenacting, with amendments,
4 Article - Transportation
5 Section 13-616(g)(2)(i)
6 Annotated Code of Maryland
7 (1999 Replacement Volume and 2000 Supplement)

8 BY repealing and reenacting, with amendments,
9 Chapter 598 of the Acts of the General Assembly of 1998, as amended by
10 Chapter 448 of the Acts of the General Assembly of 2000
11 Section 2(b)

12 BY repealing and reenacting, with amendments,
13 Chapter 599 of the Acts of the General Assembly of 1998, as amended by
14 Chapter 448 of the Acts of the General Assembly of 2000
15 Section 2(b)

16 BY repealing and reenacting, with amendments,
17 Chapter 17 of the Acts of the General Assembly of 2000
18 Section 7

19 BY repealing and reenacting, with amendments,
20 Chapter 18 of the Acts of the General Assembly of 2000
21 Section 7

22 BY repealing and reenacting, with amendments,
23 Chapter 80 of the Acts of the General Assembly of 2000
24 Section 5 and 6

25 BY repealing and reenacting, with amendments,
26 Chapter 426 of the Acts of the General Assembly of 2000
27 Section 3

28 BY repealing and reenacting, with amendments,
29 Chapter 515 of the Acts of the General Assembly of 2000
30 Section 3

31 BY repealing and reenacting, with amendments,
32 Chapter 516 of the Acts of the General Assembly of 2000
33 Section 3

34 BY repealing and reenacting, with amendments,
35 Chapter 618 of the Acts of the General Assembly of 2000

1 Section 1(b)(4)

2 BY repealing and reenacting, with amendments,
3 Chapter 648 of the Acts of the General Assembly of 2000
4 Section 2(1)

5 BY repealing and reenacting, with amendments,
6 Chapter 671 of the Acts of the General Assembly of 2000
7 Section 4

8 BY repealing and reenacting, with amendments,
9 The Public Local Laws of Carroll County
10 Section 2-101(d), 3-802(d), and 8-402
11 Article 7 - Public Local Laws of Maryland
12 (1976 Edition and September 1999 Supplement, as amended)
13 (As enacted by Chapter 601 of the Acts of the General Assembly of 2000)

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

16 **Article 2B - Alcoholic Beverages**

17 2-101.

18 (m) (7) The permit may be granted FOR:

19 (i) [For an] AN unlicensed premises;

20 (ii) A Class B or Class C alcoholic beverages licensed premises; or

21 (iii) A Baltimore City Class B-D-7 alcoholic beverages licensed
22 premises.

23 DRAFTER'S NOTE:

24 Error: Grammatical error in Article 2B, § 2-101(m)(7).

25 Occurred: Ch. 559, Acts of 1985.

26 (o) (5) The permit may be granted FOR:

27 (i) [For an] AN unlicensed premises;

28 (ii) A Class B or C licensed premises; or

29 (iii) In Baltimore City, a Class B-D-7 licensed premises.

30 DRAFTER'S NOTE:

1 Error: Grammatical error in Article 2B, § 2-101(o)(5).

2 Occurred:Ch. 755, Acts of 1986.

3 6-201.

4 (r) (13) (v) This license may be exercised only at the Redskins Stadium [at
5 Raljon] IN LANDOVER.

6 DRAFTER'S NOTE:

7 Error: Misnomer in Article 2B, § 6-201(r)(13)(v).

8 Occurred: As a result of the reversion of the name of the location of The
9 Redskins Stadium from Raljon to Landover.

10 9-102.

11 (a-1) A Class A, B, or D beer license, beer and wine license, or beer, wine and
12 liquor license, except by way of renewal, may not be granted, transferred, or issued to,
13 or for use in conjunction with, or upon the premises of any business establishment of
14 the type commonly known as chain stores, supermarkets, or discount houses. This
15 subsection does not apply to or affect any business establishment already holding
16 such a license or the possibility of such licensee having the license transferred to a
17 similar type of business establishment. Discount houses do not include licensees who
18 sell at discount prices.

19 DRAFTER'S NOTE:

20 Error: Extraneous comma in Article 2B, § 9-102(a-1).

21 Occurred: Ch. 99, Acts of 1962. Correction by the publisher of the
22 Annotated Code in the 2000 Supplement to the 1998 Replacement Volume
23 is validated by this Act.

24 (b-5) In Montgomery County, a Class B beer, [wine,] WINE and liquor license
25 may be issued for a different portion of the same premises or building in which is
26 located a [Class C,] CLASS C beer, wine and liquor license, provided, however, that
27 such licensees must meet all of the other qualifications and provisions of this article
28 pertinent to such respective licenses except that, for the purposes of this subsection
29 only, the term "pecuniarily interested" as contained in § 10-103 of this article shall
30 not be deemed to apply to an applicant who is the owner of an interest in real property
31 leased to another place of business where or for which a license has been applied for,
32 granted or issued under this article.

33 DRAFTER'S NOTE:

34 Error: Extraneous commas in Article 2B, § 9-102(b-5).

35 Occurred: Ch. 186, Acts of 1965.

1 9-103.

2 No license or permit under the provisions of this article shall be issued in
3 violation of any zoning rule or regulation as the same may from time to time exist
4 under and by virtue of any ordinance or ordinances passed pursuant to the authority
5 contained in Article 66B of the Code of Public General Laws of Maryland, title
6 ["Zoning and Planning"] "LAND USE", or Chapter 599 of the Acts of the General
7 Assembly of 1933.

8 DRAFTER'S NOTE:

9 Error: Misnomer in Article 2B, § 9-103.

10 Occurred: As a result of Ch. 426, Acts of 2000.

11 16-407.

12 (a) There is [an Investigative Services Unit] A FIELD ENFORCEMENT
13 DIVISION under the Comptroller, with such officers and employees as may be
14 provided for in the budget from time to time.

15 (b) The officers and employees of the [Investigative Services Unit] FIELD
16 ENFORCEMENT DIVISION shall be sworn police officers and shall have all the powers,
17 duties and responsibilities of peace officers for the enforcement of the provisions of
18 this article having to do generally with (1) the illegal importation of alcoholic
19 beverages into this State; (2) the illegal manufacture of alcoholic beverages in this
20 State; (3) the transportation and/or distribution throughout this State of alcoholic
21 beverages which were manufactured illegally and/or on which any alcoholic beverages
22 taxes imposed by this State are due and illegally unpaid; and (4) the manufacture,
23 sale, barter, transportation, distribution or other form of owning, handling or
24 dispersing alcoholic beverages by any person, persons, associations or corporation not
25 licensed or authorized therefor under the provisions of this article. They are
26 authorized and empowered, from time to time to make cooperative arrangements for
27 and to work and cooperate with the various State's Attorneys, sheriffs, constables,
28 bailiffs, police and other prosecuting and peace officers of every sort, in order to
29 enforce the provisions of this article and as provided in this section.

30 (c) The [Investigative Services Unit] FIELD ENFORCEMENT DIVISION shall
31 consult and advise with the several State's Attorneys and other law enforcement
32 officials and police officers as to enforcement problems in their respective
33 jurisdictions, and may make suggestions and recommendations for changes to
34 improve the execution and administration of the provisions of this article.

35 DRAFTER'S NOTE:

36 Error: Misnomer in Article 2B, § 16-407.

37 Occurred: As a result of administratively changed Division name.
38 Requested by the Assistant Attorney General Gerald Langbaum, Counsel
39 to the Comptroller.

1 16-410.

2 (d) (3) The fees for production and service of a summons may only be
3 assessed against any licensee or party [who] WHOM the Board has adjudicated
4 responsible for a violation of any law, statute, rule, or regulation concerning alcoholic
5 beverages.

6 (4) In addition to any other fines, penalties, or costs that may be imposed
7 by the Board, the Board shall assess costs of \$100 against any licensee or party [who]
8 WHOM it has adjudicated to be responsible for a violation of any law, statute, rule, or
9 regulation concerning alcoholic beverages.

10 DRAFTER'S NOTE:

11 Error: Grammatical error in Article 2B, § 16-410(d)(3) and (4).

12 Occurred: Ch. 258, Acts of 1993.

13 **Article 23A - Corporations - Municipal**

14 2B.

15 (a) Except as provided in subsection (b) OF THIS SECTION, legislation enacted
16 by a county does not apply in a municipality located in such county if the legislation:

17 (1) By its terms exempts the municipality;

18 (b) Notwithstanding the provisions of subsection (a)(2) and (3) of this section,
19 the following categories of county legislation, if otherwise within the scope of
20 legislative powers granted the county by the General Assembly, shall nevertheless
21 apply within all municipalities in the county:

22 (4) County legislation which is enacted in accordance with the
23 procedures set forth in paragraph [(b)](3) OF THIS SUBSECTION shall be subject to
24 judicial review of the finding made under [subparagraph] PARAGRAPH (3)(i) OF THIS
25 SUBSECTION and of the resultant applicability of such legislation to municipalities in
26 the county by the circuit court of the county in accordance with the provisions of the
27 Maryland Rules governing appeals from administrative agencies. Any appeal shall be
28 filed within 30 days of the effective date of such county legislation. In any judicial
29 proceeding commenced under the provisions of this paragraph, the sole issues are
30 whether the county legislative body (1) complied with the procedures of paragraph
31 [(b)](3) OF THIS SUBSECTION, and (2) had before it sufficient evidence from which a
32 reasonable person could conclude that there will be a significant adverse impact on
33 the public health, safety, or welfare affecting residents of the county in
34 unincorporated areas if such county legislation does not apply in all municipalities
35 located in the county. The issues shall be decided by the court without a jury. In the
36 event that the court reverses such finding, the legislation shall continue to apply in
37 unincorporated areas of the county and the applicability of such county legislation in
38 municipalities shall be governed by the provisions of subsection (a) of this section. The

1 decision of the circuit court in any such proceeding shall be subject to further appeal
2 to the Court of Special Appeals by the county or any municipality in the county.

3 (c) Notwithstanding the provisions of [paragraph] SUBSECTION (b)(3) of this
4 section, county legislation enacted in accordance with the procedures and
5 requirements thereof shall nevertheless be or become inapplicable in any
6 municipality which has enacted or enacts municipal legislation that:

7 (1) Covers the same subject matter and furthers the same policies as the
8 county legislation;

9 DRAFTER'S NOTE:

10 Error: Stylistic errors in Article 23A, § 2B(a), (b)(4), and (c).

11 Occurred: Ch. 398, Acts of 1983.

12 **Article 27 - Crimes and Punishments**

13 156C.

14 (a) This section does not apply in Frederick County and Calvert County if the
15 Board of County Commissioners of Frederick County or Calvert County [adopt]
16 ADOPTS regulations under Article 25, §§ 211A and 237 of the Code providing for the
17 registration of alarm system contractors and alarm users and the issuance of civil
18 citations and penalties for violations of the regulations.

19 DRAFTER'S NOTE:

20 Error: Grammatical error in Article 27, § 156C(a).

21 Occurred: Ch. 438, Acts of 2000.

22 230A.

23 (b) (1) A person who fraudulently obtains, attempts to obtain, or aids
24 another person in fraudulently obtaining or attempting to obtain money, property,
25 food stamps, or other assistance other than Medicaid to which the person is not
26 entitled, under a social or nutritional program based on need, financed in whole or in
27 part by the State of Maryland, and administered by the State or its political
28 subdivisions is guilty of a misdemeanor. For purposes of this section, fraud shall
29 include:

30 (i) Wilfully making a false statement or representation;

31 (ii) Wilfully failing to disclose a material change in household or
32 financial condition; or

33 (iii) Impersonating another person.

34 DRAFTER'S NOTE:

1 Error: Incorrect punctuation in Article 27, § 230A(b)(1).

2 Occurred: Ch. 259, Acts of 2000. Correction by the publisher of the
3 Annotated Code in the 2000 Supplement to the 1996 Replacement Volume
4 is validated by this Act.

5 255C.

6 (e) (3) By regulation, the Board:

7 (ii) May direct the County agency to obtain a criminal HISTORY
8 records check from the Criminal Justice Information System Central Repository of
9 the Department of Public Safety and Correctional Services.

10 DRAFTER'S NOTE:

11 Error: Obsolete reference in Article 27, § 255C(e)(3)(ii).

12 Occurred: Ch. 663, Acts of 1996.

13 (q) (10) On or before January 31, 2001, and every 6 months thereafter, the
14 Commission shall report to the Washington County Delegation on how recipients of
15 moneys from the Washington County Gaming Fund have been affected by the formula
16 for distributing those moneys specified under this [Act] SUBSECTION.

17 DRAFTER'S NOTE:

18 Error: Erroneous reference in Article 27, § 255C(q)(10).

19 Occurred: Ch. 479, Acts of 2000.

20 727.

21 (b) "Law enforcement officer" means any person who, in an official capacity, is
22 authorized by law to make arrests and who is a member of one of the following law
23 enforcement agencies:

24 (10) The [Investigative Services Unit] FIELD ENFORCEMENT DIVISION of
25 the Comptroller's Office;

26 DRAFTER'S NOTE:

27 Error: Misnomer in Article 27, § 727(b)(10).

28 Occurred: As a result of administratively changed Division name.
29 Requested by Assistant Attorney General Gerald Langbaum, Counsel to
30 the Comptroller.

Article 33 - Election Code

1
2 2-204.

3 (b) (2) (i) Except as provided in subparagraph (ii) of this paragraph, a
4 substitute member shall be compensated at a rate of at least \$25 for each meeting of
5 the LOCAL board that the substitute member attends.

6 DRAFTER'S NOTE:

7 Error: Omitted word in Article 33, § 2-204(b)(2)(i).

8 Occurred: Ch. 585, Acts of 1998.

9 5-203.

10 (a) (1) This subsection does not apply to a candidate for:

11 (i) President or Vice President of the United States; OR

12 (ii) [Representative in Congress of the United States; or

13 (iii)] Any federal office who seeks nomination by petition.

14 DRAFTER'S NOTE:

15 Error: Erroneous recodification of former Article 33, § 4A-1(a) in Article
16 33, § 5-203(a)(1).

17 Occurred: Ch. 585, Acts of 1998.

18 9-210.

19 (i) (1) If there is an election for members of the House of Delegates who are
20 required to live in a specific county and only a certain number of delegates may be
21 elected from that county, the ballot shall provide that a voter may not vote for more
22 than that number of candidates from that specific county.

23 (2) IN A LEGISLATIVE DISTRICT WHERE THE DELEGATES ARE TO BE
24 ELECTED BY THE VOTERS OF A MULTIMEMBER SUBDISTRICT THAT CONTAINS MORE
25 THAN TWO COUNTIES OR PARTS OF MORE THAN TWO COUNTIES, A VOTER MAY CAST
26 A VOTE FOR THE SPECIFIED NUMBER OF DELEGATES TO BE ELECTED IN THE
27 SUBDISTRICT WITHOUT REGARD TO THE COUNTY OF RESIDENCE OF THE
28 CANDIDATE.

29 DRAFTER'S NOTE:

30 Error: Inadvertent deletion and erroneous recodification of former Article
31 33, § 16-5(d)(2)(iii) in Article 33, § 9-210(i).

32 Occurred: Ch. 585, Acts of 1998.

1 13-213.

2 (a) In this [subsection,] SECTION, "political committee" includes a political
3 committee registered under § 13-202 of this subtitle and an out-of-state political
4 committee.

5 (d) In applying the limitations of this [subsection,] SECTION, all affiliated
6 political committees are treated as a single transferor. Political committees are
7 "affiliated" if they are organized and operated in coordination and cooperation with
8 each other or otherwise conduct their operations and make their contribution
9 decisions under the control of the same individual or entity.

10 DRAFTER'S NOTE:

11 Error: Erroneous internal reference in Article 33, § 13-213(a) and (d).

12 Occurred: Ch. 585, Acts of 1998.

13 **Article 38A - Fires and Investigations**

14 45C.

15 (b) (1) Each county shall distribute the funds provided under this subtitle to
16 those fire, rescue, and ambulance companies, departments, or stations within its
17 jurisdiction, including companies, departments, or stations located within municipal
18 corporations, on the basis of need as determined by the local government pursuant to
19 procedures used by the local government in the adoption of its budget. However,
20 distribution to companies, departments, or stations located within qualified
21 municipalities within a county in the aggregate may not be less than 50 percent of the
22 proportion which the expenditures of qualified municipalities bear to total aggregate
23 expenditures for fire protection by local governments in that county. In determining
24 need, the local government shall consider, among other relevant factors, failure to
25 meet minimum standards, as established by the Maryland State Firemen's
26 Association or local government, the existence or potential existence of an emergency
27 situation, the age and condition of existing facilities, apparatus and equipment, lack
28 of availability of mutual aid, service problems associated with demographic
29 conditions, and in the case of a volunteer company, its inability to raise funds to pay
30 for the item. Failure to meet minimum standards or the existence of an emergency
31 situation, as described in § 46A of this article shall be given highest funding priority
32 by the local governing body.

33 DRAFTER'S NOTE:

34 Error: Erroneous cross-reference in Article 38A, § 45C(b)(1).

35 Occurred: As a result of Ch. 240, Acts of 2000. Correction by the publisher
36 of the Annotated Code in the 2000 Supplement to the 1997 Replacement
37 Volume is validated by this Act.

1 46A.

2 (e) (2) (ii) A local government may not reduce the amount of money that
3 the volunteer company would otherwise be entitled to receive from the local
4 government because of State financial assistance provided under this [Account]
5 SECTION.

6 DRAFTER'S NOTE:

7 Error: Incorrect word usage in Article 38A, § 46A(e)(2)(ii).

8 Occurred: Ch. 240, Acts of 2000.

9 **Article 41 - Governor - Executive and Administrative Departments**

10 4-201.

11 (a) As used in this section:

12 (8) (iii) "Police officer" includes:

13 1. A member of the [Investigative Services Unit] FIELD
14 ENFORCEMENT DIVISION of the Comptroller's Office;

15 DRAFTER'S NOTE:

16 Error: Misnomer in Article 41, § 4-201(a)(8)(iii)1.

17 Occurred: As a result of administratively changed Division name.
18 Requested by Assistant Attorney General Gerald Langbaum, Counsel to
19 the Comptroller.

20 **Article 66B - Land Use**

21 General Provisions

22 1.00.

23 (a) In this article the following words have the meanings indicated, except
24 where the context clearly indicates otherwise.

25 DRAFTER'S NOTE:

26 Error: Omitted subtitle designation immediately preceding Article 66B, §
27 1.00.

28 Occurred: Ch. 426, Acts of 2000. Correction by the publisher of the
29 Annotated Code in the 2000 Supplement to the 1998 Replacement Volume
30 is validated by this Act.

1 1.01.

2 In addition to the requirements of § 3.05(c) of this article, a commission shall
3 implement the following visions through the plan described in § 3.05 of this article:

4 (1) Development is concentrated in suitable areas.

5 (2) Sensitive areas are protected.

6 (3) In rural areas, growth is directed to existing population centers and
7 resource areas are protected.

8 (4) Stewardship of the Chesapeake Bay and the land is a universal ethic.

9 (5) Conservation of resources, including a reduction in resource
10 consumption, is practiced.

11 (6) To assure the achievement of items (1) through (5) of this section,
12 economic growth is encouraged and regulatory mechanisms are streamlined.

13 (7) Adequate public facilities and infrastructure under the control of the
14 county or municipal corporation are available or planned in areas where growth is to
15 occur.

16 (8) Funding mechanisms are addressed to achieve these visions.

17 DRAFTER'S NOTE:

18 Error: Recodification in Ch. 426, Acts of 2000 of former Article 66B, §
19 3.05(b) as Article 66B, § 1.01 was undone in legislation subsequently
20 enacted in the same session.

21 Occurred: Ch. 676, Acts of 2000. Correction by the publisher of the
22 Annotated Code in the 2000 Supplement to the 1998 Replacement Volume
23 is validated by this Act.

24 3.05.

25 (d) (2) The commission shall[:

26 (i) Periodically recommend to the appropriate public officials
27 programs for:

28 1. Public structures, improvements, and land acquisitions;

29 and

30 2. The financing of public structures, improvements, and
31 land acquisitions; and

1 (ii) Consult] CONSULT with public officials and agencies, public
2 utility companies, civic, educational, professional, and other organizations, and
3 citizens about protecting or executing the plan.

4 3.06.

5 (b) To implement the plan, the planning commission shall periodically
6 recommend to the appropriate public officials:

7 (1) Programs for public structures, improvements, and land acquisitions;
8 and

9 (2) Financing programs.

10 DRAFTER'S NOTE:

11 Error: Duplicate revision of the second sentence of former Article 66B, §
12 3.05(c) in the recodification of Article 66B, as Article 66B, § 3.05(d)(2)(i)
13 and as Article 66B, § 3.06(b).

14 Occurred: Ch. 426, Acts of 2000.

15 4.09.

16 On or before July 1, 1997, and subsequently at intervals of no more than 6 years
17 which correspond to the plan revision under § 3.05(b) of this Article, a local
18 jurisdiction shall ensure that the implementation of the provisions of the plan that
19 comply with §§ 1.01 and 3.05(a)(4)(vi) and (viii) of this article are achieved through
20 the adoption of applicable zoning ordinances and regulations, planned development
21 ordinances and regulations, subdivision ordinances and regulations, and other land
22 use ordinances and regulations that are consistent with the plan.

23 DRAFTER'S NOTE:

24 Error: Erroneous cross-reference in Article 66B, § 4.09.

25 Occurred: Ch. 426, Acts of 2000. Correction by the publisher of the
26 Annotated Code in the 2000 Supplement to the 1998 Replacement Volume
27 is validated by this Act.

28 6.01.

29 (f) (1) The approval and adoption of a plat reserves the street locations on
30 the plat for future TAKING OR acquisition for public use.

31 (2) The approval and adoption of a plat does not constitute:

32 (i) The opening or establishment of a street; or

1 (ii) The taking of any land for the purpose of creating a street, a
 2 public use, or a public improvement[, but solely as a reservation of the street
 3 locations shown thereon, for future taking or acquisition for public use].

4 (3) (i) At any time, a planning commission may negotiate for or secure
 5 from the owner of any land reserved for the location of a street:

6 1. A release of claims for damages or compensation for the
 7 reservation of the land; or

8 2. An agreement indemnifying the local jurisdiction from
 9 claims by others for damages or compensation.

10 (ii) A negotiated release or agreement shall bind the landowner
 11 executing the release or agreement and the landowner's successors in title.

12 DRAFTER'S NOTE:

13 Error: Omitted language in Article 66B, § 6.01(f)(1) and redundant
 14 language in Article 66B, § 6.01(f)(2)(ii) as a result of errors in the revision
 15 of former Article 66B, § 6.01.

16 Occurred: Ch. 426, Acts of 2000.

17 Miscellaneous Provisions

18 7.01.

19 (a) (1) The local legislative body may provide by ordinance for the
 20 enforcement of this article and of any ordinance enacted or regulation adopted under
 21 this article.

22 DRAFTER'S NOTE:

23 Error: Incorrect subtitle designation immediately preceding Article 66B, §
 24 7.01. The previously enacted subtitle designation immediately preceding
 25 Article 66B, § 7.01 "General Provisions" has been added immediately
 26 preceding Article 66B, § 1.00.

27 Occurred: Ch. 426, Acts of 2000. Correction by the publisher of the
 28 Annotated Code in the 2000 Supplement to the 1998 Replacement Volume
 29 is validated by this Act.

30 8.03.

31 (b) (2) The recommendations of the Maryland Historical Trust may include:

32 (i) Proposed boundaries for sites, structures, or districts; and

33 (ii) The identification and designation of particular sites,
 34 structures, or districts to be preserved.

1 DRAFTER'S NOTE:

2 Error: Misnomer, with the Maryland Historical Trust referred to as the
3 Maryland Historic Trust in Article 66B, § 8.03(b)(2).

4 Occurred: Ch. 426, Acts of 2000. Correction by the publisher of the
5 Annotated Code in the 2000 Supplement to the 1998 Replacement Volume
6 is validated by this Act.

7 8.16.

8 (d) Section 1.02 of this article does not apply to this section.

9 DRAFTER'S NOTE:

10 Error: Obsolete cross-reference in Article 66B, § 8.16(d).

11 Occurred: Ch. 426, Acts of 2000. Correction by the publisher of the
12 Annotated Code in the 2000 Supplement to the 1998 Replacement Volume
13 is validated by this Act.

14 14.05.

15 (f) (2) (i) 1. After a public hearing, the County Commissioners shall
16 annually set the costs to be compensated by the landowner or landowners.

17 2. The costs assessed under this subsection may not exceed
18 \$5,000 per residential unit.

19 (ii) 1. Proportionate division and provisions for payment of these
20 costs shall be made according to reasonable schedules approved by the County
21 Commissioners.

22 2. The payment schedules shall reflect the impact of the
23 development over time and provide for the timely acquisition of land and other
24 facilities by the County, the State, or the landowner, as needed to serve the residents
25 of the development.

26 (iii) 1. Each year, before the public hearing to set the impact fees,
27 the County Commissioners shall conduct a study to determine the reasonableness of
28 the fees to be proposed at the public hearing.

29 2. The study shall include an analysis of the effect of the
30 impact fees on the cost of housing in the County.

31 3. The analysis shall be made available to the public at the
32 time of the public hearing.

33 (iv) Any new or increased impact fees may not take effect until at
34 least 90 days after the public hearing.

1 (v) 1. The County Commissioners may require that not
2 exceeding 20% of any fee imposed for any residential dwelling unit under this
3 subsection be paid on or after the approval of a preliminary subdivision plan for lots
4 that include the residential dwelling unit.

5 2. The landowner shall pay the balance of the fee before the
6 County Commissioners may issue the occupancy permit for the residential dwelling
7 unit.

8 DRAFTER'S NOTE:

9 Error: Misspellings of "landowner" and "landowners" in Article 66B, §
10 14.05(f)(2)(i)1 and (ii)2.

11 Occurred: Ch. 642, Acts of 1973. Corrections by the publisher of the
12 Annotated Code in the 2000 Supplement to the 1998 Replacement Volume
13 are validated by this Act.

14 **Article 83A - Department of Business and Economic Development**

15 5-919.

16 (g) Financial assistance provided by the Authority from the Industrial
17 Development Fund under § 5-918 of this subtitle with respect to any one transaction
18 may not exceed the total aggregate amount of \$2,500,000.

19 DRAFTER'S NOTE:

20 Error: Erroneous section (§) symbol preceding 2,500,000 in Article 83A, §
21 5-919(g).

22 Occurred: Ch. 305, Acts of 2000. Correction by the publisher of the
23 Annotated Code in the 2000 Supplement to the 1998 Replacement Volume
24 is validated by this Act.

25 5-1404.

26 (c) The Fund may consist of any of the following:

27 (9) Moneys collected under § 9-229 of the Tax - Property Article;

28 DRAFTER'S NOTE:

29 Error: Omitted hyphen in Article 83A, § 5-1404(c)(9).

30 Occurred: Ch. 305, Acts of 2000. Correction by the publisher of the
31 Annotated Code in the 2000 Supplement to the 1998 Replacement Volume
32 is validated by this Act.

1 **Article 88A - Department of Human Resources**

2 48.

3 (e) In addition to the provisions of this section, subject to the limitations of the
4 State budget, assistance shall be provided under this subtitle to legal immigrants:

5 (1) Who arrive in the United States on or after August 22, 1996 and are
6 not eligible for federally funded cash assistance; and

7 (2) Who meet FIP eligibility requirements under this subtitle and any
8 other requirements imposed by the State.

9 DRAFTER'S NOTE:

10 Error: Missing conjunction "and" between Article 88A, § 48(e)(1) and (2).

11 Occurred: Ch. 671, Acts of 2000. Correction by the publisher of the
12 Annotated Code in the 2000 Supplement to the 1998 Replacement Volume
13 is validated by this Act.

14 54.

15 (i) The Department of Labor, Licensing, and Regulation, the Department of
16 Human Resources, and the Comptroller shall report to the Governor and, subject to §
17 2-1246 of the State Government Article, to the General Assembly before January 15
18 of each year on:

19 (4) The number of employment opportunity employees:

20 (i) Hired in each business sector for the preceding year; and

21 (ii) Hired during the preceding year and employed for less than 1
22 year;

23 DRAFTER'S NOTE:

24 Error: Incorrect punctuation in Article 88A, § 54(i)(4).

25 Occurred: Ch. 448, Acts of 2000. Correction by the publisher of the
26 Annotated Code in the 2000 Supplement to the 1998 Replacement Volume
27 is validated by this Act.

28 **Article 88B - Department of State Police**

29 Cease Fire Council

30 81.

31 (a) (1) There is a Cease Fire Council within the Department of State Police.

1 DRAFTER'S NOTE:

2 Error: Omitted subtitle preceding Article 88B, § 81(a)(1).

3 Occurred: Ch. 2, Acts of 2000. Correction by the publisher of the Annotated
4 Code in the 2000 Supplement to the 1999 Replacement Volume is validated
5 by this Act.

6 **Article - Agriculture**

7 2-106.

8 (a) The following positions and units are included within the Department:

9 (1) The Tobacco Authority of the State of Maryland;

10 (2) The Maryland Agricultural Fair Board;

11 (3) The Chief of Weights and Measures;

12 (4) The State Chemist;

13 (5) The State Veterinarian;

14 (6) The State Board of Veterinary Medical Examiners;

15 (7) The State Soil Conservation Committee;

16 (8) The Board of Review of the Department of Agriculture;

17 (9) The Maryland Agricultural Commission;

18 (10) The [State Board of Inspection of Horse Riding Stables] MARYLAND
19 HORSE INDUSTRY BOARD;

20 (11) The Seafood Marketing Authority and Division of Market
21 Development;

22 (12) The Seafood Marketing Advisory Commission;

23 (13) The Maryland Winery and Grape Growers' Advisory Board; and

24 (14) Aquaculture Advisory Committee.

25 DRAFTER'S NOTE:

26 Error: Misnomer in § 2-106 (a)(10) of the Agriculture Article.

27 Occurred: As a result of Ch. 416, Acts of 1998.

1 2-514.

2 (c) Upon a request for review of an easement for termination, an inquiry shall
3 be conducted by the Foundation to determine the feasibility of profitable farming on
4 the subject land. The inquiry shall be concluded and a decision reached by the
5 Foundation within 180 days after the request for termination, and shall include:

6 (1) On-site inspection of the subject land; AND

7 (2) A public hearing conducted by the Foundation board within the
8 county containing the subject land after adequate public notice.

9 DRAFTER'S NOTE:

10 Error: Omitted conjunction in § 2-514(c)(1) of the Agriculture Article.

11 Occurred: Ch. 883, Acts of 1977.

12 2-517.

13 (c) To the extent practicable, the Governor shall attempt to ensure regional,
14 economic, ethnic, and gender diversity on the [Commission] TASK FORCE.

15 DRAFTER'S NOTE:

16 Error: Misnomer in § 2-517(c) of the Agriculture Article.

17 Occurred: Ch. 634, Acts of 2000. Correction by the publisher of the
18 Annotated Code in the 2000 Supplement of the Agriculture Article is
19 ratified by this Act.

20 3-303.

21 (b) (3) A holder of a license issued by the [State Board of Inspection of Horse
22 Riding Stables] MARYLAND HORSE INDUSTRY BOARD is not required to have a
23 license under this subtitle, but shall comply with all of the other provisions of it.

24 DRAFTER'S NOTE:

25 Error: Misnomer in § 3-303(b)(3) of the Agriculture Article.

26 Occurred: As a result of Ch. 416, Acts of 1998.

27 8-804.

28 (a) (2) (ii) The report required under subparagraph (i) of this paragraph
29 shall include information regarding:

30 1. The level of participation in the nutrient management
31 plan program;

1 **Article - Business Occupations and Professions**

2 5-605.

3 (b) (1) A licensed cosmetologist may practice cosmetology in the residence of
4 an individual confined to the residence by reason of a physical or mental infirmity, in
5 an assisted living facility as defined in § 19-1801 of the Health - General Article, in
6 a hospice facility defined in § 19-901(c) of the Health - General Article, in a nursing
7 [facility] HOME as defined in § 19-1401(e) of the Health - General Article, or in a
8 hospital as defined in § 19-301 of the Health - General Article or a similar
9 institution, by appointment, if:

10 (i) the licensed cosmetologist is sponsored by a beauty salon that
11 holds a beauty salon permit; and

12 (ii) the patron is a customer of the beauty salon.

13 DRAFTER'S NOTE:

14 Error: Obsolete terminology in § 5-605 (b)(1) of the Business Occupations
15 and Professions Article.

16 Occurred: As a result of Chs. 217, 218, 219, and 488, Acts of 2000.

17 11-506.

18 (c) The amount to be paid by the Association to the Board for distribution to
19 eligible inactive pilots who become inactive with at least 20 years but less than 25
20 years as members in good standing of the Association and licensed by the Board to
21 provide pilotage for vessels of unlimited draft shall be computed as follows:

22 (2) totalling the sums determined under [item (i) of this paragraph]
23 ITEM (1) OF THIS SUBSECTION for each pilot in the Association who, at the beginning
24 of the month for which the payment is to be made, was eligible for payment as an
25 inactive pilot under this subsection.

26 (d) The amount to be paid by the Association to the Board for distribution to
27 permanently disabled pilots shall be computed by:

28 (2) multiplying the figure determined under [item (i) of this paragraph]
29 ITEM (1) OF THIS SUBSECTION by the number of pilots in the Association who, at the
30 beginning of the month for which the payment is to be made, were eligible for
31 payments as permanently disabled pilots.

32 DRAFTER'S NOTE:

33 Error: Incorrect cross-references in § 11-506(c)(2) and (d)(2) of the
34 Business Occupations and Professions Article.

35 Occurred: Ch. 214, Acts of 1996.

1 16-311.

2 (b) (2) The Fund is a special account to be used to disburse moneys to the
3 [Appraisal Subcommittee] APPROPRIATE FEDERAL AUTHORITY under subsection
4 (a)(2) of this section.

5 DRAFTER'S NOTE:

6 Error: Obsolete reference in § 16-311(b)(2) of the Business Occupations
7 and Professions Article.

8 Occurred: As a result of Ch. 568, Acts of 1991.

9 **Article - Business Regulation**

10 4.5-203.

11 (a) (3) The Registration Fund shall be used to cover the actual documented
12 direct and indirect costs incurred for the administration and enforcement of the
13 Maryland Home [Builders] BUILDER Registration Act.

14 (b) (2) The fees charged shall approximate the direct and indirect costs of
15 administering and enforcing the Maryland Home [Builders] BUILDER Registration
16 Act.

17 DRAFTER'S NOTE:

18 Error: Misnomer in § 4.5-203(a)(3) and (b)(2) of the Business Regulation
19 Article.

20 Occurred: Ch. 522, Acts of 2000.

21 4.5-303.

22 (b) The application shall require an applicant to provide:

23 (6) the [names] NAME of any applicant or principal that was a principal
24 in an entity that previously applied for registration;

25 DRAFTER'S NOTE:

26 Error: Incorrect word usage in § 4.5-303(b)(6) of the Business Regulation
27 Article.

28 Occurred: Ch. 522, Acts of 2000.

29 4.5-502.

30 (c) Any party aggrieved by a decision and order of the Director under this
31 section may [make] FILE an appeal as provided under §§ 10-222 and 10-223 of the
32 State Government Article.

1 DRAFTER'S NOTE:

2 Error: Incorrect word usage in § 4.5-502(c) of the Business Regulation
3 Article.

4 Occurred: Ch. 522, Acts of 2000.

5 6-205.

6 (f) On referral by the Secretary of State, the Attorney General may sue in the
7 Circuit Court for Anne Arundel County for an order that:

8 (3) except as provided under § 6-5A-11 of this title, recovers for the
9 State a civil penalty not to exceed \$5,000 for each willful violation of [the Act] THIS
10 TITLE;

11 (4) except as provided under § 6-5A-11 of this title, recovers for the
12 State a civil penalty not to exceed \$3,000 for each grossly negligent violation of [the
13 Act] THIS TITLE;

14 DRAFTER'S NOTE:

15 Error: Incorrect word usage in § 6-205(f)(3) and (4) of the Business
16 Regulation Article.

17 Occurred: Ch. 89, Acts of 1995.

18 9A-101.

19 (l) (2) "License" includes, unless the context requires otherwise[, a]:

20 (i) A master license;

21 (ii) A master restricted license;

22 (iii) A limited license;

23 (iv) A journeyman license;

24 (v) A journeyman restricted license; and

25 (vi) AN apprentice license.

26 DRAFTER'S NOTE:

27 Error: Grammatical error in § 9A-101(1)(2) of the Business Regulation
28 Article.

29 Occurred: Ch. 649, Acts of 1992.

1 11-515.

2 (e) From the amount that a licensee deducts from each multiple mutuel pool
3 on 3 or more horses, the licensee shall:

4 (1) keep 11.70% of each multiple mutuel pool, from which the licensee
5 shall pay 0.25% of each multiple mutuel pool to the Maryland Race Track Employees
6 Pension Fund;

7 (2) allocate 0.32% of each multiple mutuel pool to the Commission for
8 State tax;

9 (3) allocate 1.10% of each multiple mutuel pool to the Maryland-Bred
10 Race Fund;

11 (4) allocate 11.70% of each multiple mutuel pool for purses;

12 (5) allocate 0.75% of each multiple mutuel pool to the Commission for
13 payment to the Racing Facility Redevelopment Bond Fund; and

14 (6) allocate 0.18% of each multiple mutuel pool as an additional amount
15 for purses.

16 DRAFTER'S NOTE:

17 Error: Extraneous conjunction in § 11-515(e)(4) of the Business Regulation
18 Article.

19 Occurred: Ch. 309, Acts of 2000. Correction by the publisher of the
20 Annotated Code in the 2000 Supplement of the Business Regulation Article
21 is validated by this Act.

22 11-515.1.

23 (a) Notwithstanding § 11-515 of this subtitle, the amount of the takeout
24 relating to purses, the Maryland-Bred Race Fund, and the amount retained by the
25 licensee may be allocated in accordance with the terms of a written agreement signed
26 by the authorized representatives of:

27 (1) the licensee;

28 (2) the group that represents a majority of the owners and trainers
29 licensed in the State at the time the agreement is signed; and

30 (3) the group that represents a majority of the breeders in the State at
31 the time the agreement is signed.

32 (b) Nothing in this section may be construed to permit the licensee to in any
33 way alter the mandatory takeout allocated to the Commission for:

34 (1) the State tax; or

1 (2) the payment to the Racing Facility Redevelopment Bond Fund for the
2 Maryland Economic Development Corporation.

3 DRAFTER'S NOTE:

4 Error: Incorrect tabulation in § 11-515.1 of the Business Regulation
5 Article.

6 Occurred: Ch. 309, Acts of 2000. Correction by the publisher of the
7 Annotated Code in the 2000 Supplement of the Business Regulation Article
8 is validated by this Act.

9 11-803.

10 (b) Every year for the preceding calendar year, each licensee shall:

11 (1) report to the Commission the amount payable to the Commission
12 under this section; and

13 (2) pay that amount to the Commission[, whichever is applicable].

14 DRAFTER'S NOTE:

15 Error: Extraneous words in § 11-803(b)(2) of the Business Regulation
16 Article.

17 Occurred: Ch. 309, Acts of 2000.

18 17-1804.

19 (d) (1) An exhibitor need not get a trader's license for a show if:

20 (ii) [if] the exhibitor gives to the promoter an exhibitor's affidavit
21 stating that the exhibitor:

22 1. gets less than 10% of the exhibitor's annual income from
23 selling the kind of goods that the exhibitor will display and sell at the show; and

24 2. has not participated in more than 3 shows during the
25 previous 365 days.

26 DRAFTER'S NOTE:

27 Error: Duplicative word in § 17-1804(d)(1)(ii) of the Business Regulation
28 Article.

29 Occurred: Ch. 4, Acts of 1992.

1

Article - Commercial Law

2 1-201.

3 Subject to additional definitions contained in the subsequent titles of this article
4 which are applicable to specific titles or subtitles thereof, and unless the context
5 otherwise requires, in Titles 1 through 10 of this article:

6 (37) "Security interest" means an interest in personal property or fixtures
7 which secures payment or performance of an obligation. The term also includes any
8 interest of a [cosignor] CONSIGNOR and a buyer of accounts, chattel paper, a
9 payment intangible, or a promissory note in a transaction that is subject to Title 9.
10 The special property interest of a buyer of goods on identification of such goods to a
11 contract for sale under § 2-401 is not a ["security interest,"] "SECURITY INTEREST",
12 but a buyer may also acquire a "security interest" by complying with Title 9. Except as
13 otherwise provided in § 2-205, the right of a seller or lessor of goods under Title 2 or
14 Title 2A to retain or acquire possession of goods is not a ["security interest,"]
15 "SECURITY INTEREST", but a seller or lessor may also acquire a "security interest" by
16 complying with Title 9. The retention or reservation of title by a seller of goods
17 notwithstanding shipment or delivery to the buyer (§ 2-401) is limited in effect to a
18 reservation of a ["security interest."] "SECURITY INTEREST".

19 (a) Whether a transaction creates a lease or security interest is
20 determined by the facts of each case; however, a transaction creates a security
21 interest if the consideration the lessee is to pay the lessor for the right to possession
22 and use of the goods is an obligation for the term of the lease not subject to
23 termination by the lessee, and

24 (i) The original term of the lease is equal to or greater than
25 the remaining economic life of the goods,

26 DRAFTER'S NOTE:

27 Error: Misspelling, misplaced commas, and misplaced period in §
28 1-201(37) of the Commercial Law Article.

29 Occurred: Ch. 282, Acts of 1999.

30 9-322.

31 (b) For the purposes of subsection (a)(1) OF THIS SECTION:

32 (1) The time of filing or perfection as to a security interest in collateral is
33 also the time of filing or perfection as to a security interest in proceeds; and

34 (2) The time of filing or perfection as to a security interest in collateral
35 supported by a supporting obligation is also the time of filing or perfection as to a
36 security interest in the supporting obligation.

37 DRAFTER'S NOTE:

1 Error: Stylistic error in § 9-322(b) of the Commercial Law Article.

2 Occurred: Ch. 282, Acts of 1999.

3 9-525.

4 [(d) Two and one-half percent of the recordation taxes paid on instruments
5 filed with the Department under this title shall be credited to the fund established
6 under § 1-203.3 of the Corporations and Associations Article.]

7 DRAFTER'S NOTE:

8 Error: Obsolete language in § 9-525(d) of the Commercial Law Article.

9 Occurred: As a result of Ch. 679, Acts of 2000.

10 11-5A-01.

11 (a) In this subtitle the following words have the meanings indicated.

12 DRAFTER'S NOTE:

13 Error: Stylistic error in § 11-5A-01(a) of the Commercial Law Article.

14 Occurred: Ch. 220, Acts of 2000. Correction by the publisher of the
15 Annotated Code in the 2000 Supplement of the Commercial Law Article is
16 validated by this Act.

17 (b) "Retailer" has the meaning stated in § 11-501(h) of [Subtitle 5 of this
18 article] THIS TITLE.

19 (c) "Sell" has the meaning stated in § 11-501(j) of this [article] TITLE.

20 (d) "Vending machine operator" has the meaning stated in § 11-501(k) of this
21 [article] TITLE.

22 (e) "Wholesaler" has the meaning stated in § 11-501(m) of this [article]
23 TITLE.

24 DRAFTER'S NOTE:

25 Error: Stylistic errors in § 11-5A-01(b), (c), (d), and (e) of the Commercial
26 Law Article.

27 Occurred: Ch. 220, Acts of 2000.

28 14-101.

29 (e) "Unit price" means the retail price of an item expressed in dollars and
30 cents per unit. In addition to any units commonly in use in the United States, the
31 following units may be used if appropriate:

1 (7) Per 100 square feet for an item the net quantity of which is expressed
2 in square yards, square feet, square inches, or a combination of them; OR

3 DRAFTER'S NOTE:

4 Error: Omitted word in § 14-101(e)(7) of the Commercial Law Article.

5 Occurred: Ch. 49, Acts of 1975.

6 14-1903.

7 (d) A person not included within the definition of a credit services business as
8 provided in [§ 14-1901(b)(2)] § 14-1901(B)(3) of this subtitle is exempt from licensure
9 requirements under this subtitle.

10 DRAFTER'S NOTE:

11 Error: Erroneous cross-reference in § 14-1903(d) of the Commercial Law
12 Article.

13 Occurred: As a result of Ch. 670, Acts of 1994.

14 22-209.

15 (a) A party adopts the terms of a mass-market license for purposes of §
16 22-208 of this subtitle only if the party agrees to the license, such as by manifesting
17 assent, before or during the party's initial performance or use of or access to the
18 information. A term is not part of the license if:

19 (4) The term is not available for viewing before and after assent:

20 (A) In a printed license; or

21 (B) In electronic form that:

22 (i) Can be printed or stored for archival and review purposes
23 by the licensee; or

24 (ii) Is made available by a licensor to a licensee, at no cost to
25 the licensee, in a printed form on the request of a licensee that is unable to print or
26 store the license for archival and review purposes.

27 DRAFTER'S NOTE:

28 Error: Stylistic errors in § 22-209(a)(4) of the Commercial Law Article.

29 Occurred: Ch. 11, Acts of 2000. Correction by the publisher of the
30 Annotated Code in the 2000 Supplement of the Commercial Law Article is
31 validated by this Act.

1 22-613.

2 (c) If an agreement provides for distribution of copies on a tangible medium or
3 in packaging provided by the publisher or an authorized third party, a dealer may
4 distribute those copies and documentation only:

5 (2) Subject to the terms of any license [the publisher] that the publisher
6 provides to the dealer to be furnished to end users.

7 DRAFTER'S NOTE:

8 Error: Extraneous language in § 22-613(c)(2) of the Commercial Law
9 Article.

10 Occurred: Ch. 11, Acts of 2000. Correction by the publisher of the
11 Annotated Code in the 2000 Supplement of the Commercial Law Article is
12 ratified by this Act.

13 22-814.

14 (b) Except as provided in subsection (c) of this section, before discontinuing all
15 contractual rights of access in an access contract, a party shall give notice in a record
16 to the party in breach stating:

17 (4) Information to allow for communication concerning the claimed
18 breach, including the party's:

19 (A) Address and telephone number; and

20 (B) (i) Facsimile number; or

21 (ii) E-mail address.

22 DRAFTER'S NOTE:

23 Error: Stylistic errors in § 22-814(b)(4) of the Commercial Law Article.

24 Occurred: Ch. 11, Acts of 2000. Correction by the publisher of the
25 Annotated Code in the 2000 Supplement of the Commercial Law Article is
26 validated by this Act.

27 **Article - Corporations and Associations**

28 2-104.

29 (b) The articles of incorporation may include:

30 (1) Any provision not inconsistent with law [which] THAT defines,
31 limits, or regulates the powers of the corporation, its directors and stockholders, any
32 class of its stockholders, or the holders of any bonds, notes, or other securities
33 [which] THAT it may issue;

1 (4) Any provision [which] THAT requires for any purpose the
2 concurrence of a greater proportion of the votes of all classes or of any class of stock
3 than the proportion required by this article for that purpose;

4 (5) A provision [which] THAT requires for any purpose a lesser
5 proportion of the votes of all classes or of any class of stock than the proportion
6 required by this article for that purpose, but this proportion may not be less than a
7 majority of all the votes entitled to be cast on the matter;

8 (6) A provision [which] THAT divides its directors into classes and
9 specifies the term of office of each class;

10 (8) A provision [which] THAT varies in accordance with § 2-405.2 of this
11 title the standards for liability of the directors and officers of a corporation for money
12 damages; and

13 DRAFTER'S NOTE:

14 Error: Grammatical errors in § 2-104(b)(1), (4), (5), (6), and (8) of the
15 Corporations and Associations Article.

16 Occurred: Ch. 311, Acts of 1975; Chs. 3 and 4, Acts of 1988.

17 2-203.

18 (a) Before the issuance of stock or convertible securities, the board of directors
19 shall adopt a resolution [which] THAT:

20 (1) Authorizes the issuance;

21 (2) Sets the minimum consideration for the stock or convertible
22 securities or a formula for its determination; and

23 (3) Fairly describes any consideration other than money.

24 DRAFTER'S NOTE:

25 Error: Grammatical error in § 2-203(a) of the Corporations and
26 Associations Article.

27 Occurred: Ch. 311, Acts of 1975.

28 10-208.

29 (e) (1) Unless the articles of merger provide otherwise, a proposed merger or
30 consolidation may be abandoned before the effective date of the articles by:

31 (v) A vote of the partners of a partnership party to the articles as
32 provided under Title 9 of this article.

33 DRAFTER'S NOTE:

1 Error: Incorrect punctuation in § 10-208(e)(1)(v) of the Corporations and
2 Associations Article.

3 Occurred: Ch. 654, Acts of 1997. Correction by the publisher of the
4 Annotated Code in the 2000 Supplement of the Corporations and
5 Associations Article is validated by this Act.

6 **Article - Correctional Services**

7 8-205.

8 (a) The [Deputy] Secretary of Public Safety and Correctional Services or the
9 [Deputy] Secretary's representative is the chairperson of the Commission.

10 DRAFTER'S NOTE:

11 Error: Erroneous reference in § 8-205(a) of the Correctional Services
12 Article.

13 Occurred: As a result of Ch. 483, Acts of 2000.

14 **Article - Courts and Judicial Proceedings**

15 3-801.

16 (x) (1) "Victim" means:

17 (i) A person who suffers direct or threatened physical, emotional,
18 or financial harm as a result of a delinquent act; or

19 (ii) An individual against whom an act specified in § 3-820.1(b) of
20 this subtitle is committed or alleged to have been committed.

21 DRAFTER'S NOTE:

22 Error: Omitted article in § 3-801(x)(1)(i) of the Courts and Judicial
23 Proceedings Article.

24 Occurred: Ch. 404, Acts of 2000. Correction by the publisher of the
25 Annotated Code in the 2000 Supplement of the Courts and Judicial
26 Proceedings Article is validated by this Act.

27 3-808.

28 (b) If delinquency or violation of § 3-831 OF THIS SUBTITLE is alleged or if a
29 citation is issued, the petition, if any, or the citation shall be filed in the county where
30 the alleged act occurred subject to transfer as provided in § 3-809 OF THIS SUBTITLE.

31 (d) If the alleged delinquent act is escape or attempted escape from a training
32 school or similar facility operated by the Department of Juvenile Justice, the petition,
33 if any, shall be filed and the adjudicatory hearing held in the county where the alleged

1 escape or attempted escape occurred unless the court in the county of the child's
2 domicile requests a transfer. For purposes of the disposition hearing, proceedings may
3 be transferred as provided in § 3-809 OF THIS SUBTITLE to the court exercising
4 jurisdiction over the child at the time of the alleged act.

5 DRAFTER'S NOTE:

6 Error: Stylistic errors in § 3-808(b) and (d) of the Courts and Judicial
7 Proceedings Article.

8 Occurred: Ch. 404, Acts of 2000.

9 3-810.

10 (e) (1) The intake officer may propose an informal adjustment of the matter
11 [if] IF, based on the complaint and the inquiry, the intake officer concludes that the
12 court has jurisdiction but that an informal adjustment, rather than judicial action, is
13 in the best interests of the public and the child.

14 DRAFTER'S NOTE:

15 Error: Omitted comma in § 3-810(e)(1) of the Courts and Judicial
16 Proceedings Article.

17 Occurred: Ch. 554, Acts of 1975.

18 5-606.

19 (a) (4) "Health care provider" has the [same] meaning stated in § 3-2A-01
20 of this article.

21 DRAFTER'S NOTE:

22 Error: Extraneous word and stylistic error in § 5-606(a)(4) of the Courts
23 and Judicial Proceedings Article.

24 Occurred: The stylistic error occurred in Ch. 576, Acts of 1994. The
25 extraneous word error occurred as a result of Ch. 61, Acts of 2000 and
26 correction of that error by the publisher of the Annotated Code in the 2000
27 Supplement of the Courts and Judicial Proceedings Article is validated by
28 this Act.

29 8-106.

30 (a) In this section, "day" means the length of time in any 24-hour period
31 during which a juror is required to be in attendance at or in proximity to the court in
32 which the juror has been called as a juror.

33 (b) A juror shall receive a State per diem amount of \$15 for each day the juror
34 attends court.

1 (c) The government of each county and Baltimore City may supplement the
2 State per diem amount by local ordinance.

3 (d) There shall be included in the State budget for the Judicial Branch
4 beginning in fiscal year 2002, an appropriation to the Administrative Office of the
5 Courts in the total amount necessary to pay jurors the State per diem amount.

6 DRAFTER'S NOTE:

7 Error: Incorrect tabulation in § 8-106 of the Courts and Judicial
8 Proceedings Article.

9 Occurred: Ch. 652, Acts of 2000. Correction by the publisher of the
10 Annotated Code in the 2000 Supplement of the Courts and Judicial
11 Proceedings Article is validated by this Act.

12 8-202.

13 Among other things, the juror selection plan referred to in § 8-201 OF THIS
14 SUBTITLE shall:

15 (1) Either designate a jury commissioner, or authorize the clerk of the
16 court, to manage the jury selection process. If a jury commissioner is designated, the
17 manner of his appointment shall be established by the plan and his compensation set
18 by law. The clerk or the jury commissioner[,] shall act under the supervision and
19 control of a jury judge who is the administrative judge or another judge of the circuit
20 court of the county as provided by the plan;

21 DRAFTER'S NOTE:

22 Error: Stylistic error in the introductory language of § 8-202 of the Courts
23 and Judicial Proceedings Article and extraneous comma in § 8-202(1) of
24 the Courts and Judicial Proceedings Article.

25 Occurred: Ch. 2, Acts of the First Special Session of 1973.

26 **Article - Education**

27 4-306.2.

28 (g) The bonds shall:

29 (5) Bear the manual or facsimile signature of the Chief Executive Officer
30 or one of the other members of the Board. In case any officer whose manual or
31 facsimile signature appears on any bonds or coupons ceases to be an officer before the
32 delivery of the bonds, the signature or facsimile of the former officer is valid and
33 sufficient for all purposes as if the officer had remained in office until delivery;

34 DRAFTER'S NOTE:

1 Error: Omitted period in § 4-306.2(g)(5) of the Education Article.

2 Occurred: Ch. 559, Acts of 2000. Correction by the publisher of the
3 Annotated Code in the 2000 Supplement of the Education Article is
4 validated by this Act.

5 7-208.

6 (c) (2) (i) Except as provided in subparagraph (ii) of this [subsection]
7 PARAGRAPH, a school shall provide instruction using school staff and materials.

8 DRAFTER'S NOTE:

9 Error: Stylistic error in § 7-208(c)(2)(i) of the Education Article.

10 Occurred: Chs. 492 and 493, Acts of 2000.

11 13-517.

12 (f) (3) This subsection does not limit the right of an individual to:

13 (i) Practice a health occupation that the individual is licensed,
14 certified, or otherwise authorized to practice under the Health Occupations Article;

15 (ii) Provide emergency medical services under § 13-516 of this
16 [article] SUBTITLE; or

17 (iii) Operate an automated external defibrillator that is obtained by
18 a prescription to a known patient issued by a physician licensed to practice medicine
19 under Title 14 of the Health Occupations Article if the individual has successfully
20 completed an educational course and refresher training as required by the EMS
21 Board or the prescribing physician.

22 DRAFTER'S NOTE:

23 Error: Stylistic error in § 13-517(f)(3)(ii) of the Education Article.

24 Occurred: Ch. 61, Acts of 2000.

25 (n) (4) The immunities in this subsection are not available if the conduct of
26 the authorized facility amounts to gross negligence, willful or wanton misconduct, or
27 intentionally [tortuous] TORTIOUS conduct.

28 DRAFTER'S NOTE:

29 Error: Misspelling in § 13-517(n)(4) of the Education Article.

30 Occurred: Ch. 167, Acts of 1999.

1 16-505.

2 (g) (2) (i) Except as otherwise provided in paragraph (4) of this
3 subsection, the Board of Trustees shall assess each student who is not a resident of
4 this State, in addition to the student tuition and fees paid by residents, an
5 out-of-state fee at least equal to 60 percent of the amount of State support for the
6 College per full-time equivalent student.

7 DRAFTER'S NOTE:

8 Error: Extraneous percent symbol in § 16-505(g)(2)(i) of the Education
9 Article.

10 Occurred: Ch. 578, Acts of 2000. Correction by the publisher of the
11 Annotated Code in the 2000 Supplement of the Education Article is
12 validated by this Act.

13 18-704.

14 (a) (2) "Eligible institution" means an accredited college or university that
15 has a program of studies that would lead to licensing as a physical therapist, physical
16 [therapy] THERAPIST assistant, occupational therapist, or occupational therapy
17 assistant.

18 (3) "Eligible program" means a program necessary for licensing as a
19 physical therapist, physical [therapy] THERAPIST assistant, occupational therapist,
20 or occupational therapy assistant.

21 DRAFTER'S NOTE:

22 Error: Incorrect word usage in § 18-704(a)(2) and (3) of the Education
23 Article.

24 Occurred: Ch. 462, Acts of 1991.

25 18-707.

26 (a) (5) "Mental health professional" includes:

27 (iii) A social worker [as defined in] WITHIN THE MEANING OF §
28 19-101 of the Health Occupations Article;

29 DRAFTER'S NOTE:

30 Error: Erroneous reference in § 18-707(a)(5)(iii) of the Education Article.

31 Occurred: As a result of Ch. 554, Acts of 2000. Correction by the publisher
32 of the Annotated Code in the 2000 Supplement of the Education Article is
33 validated by this Act. Additionally, the words "within the meaning of" are
34 substituted for the former words "as defined in" for clarification in light of
35 the repeal of the former definition by Ch. 554, Acts of 2000.

1 18-2503.

2 To qualify for a Community College Transfer Scholarship, an applicant shall:

3 (7) Enroll as a full-time student in that 4-year institution;

4 DRAFTER'S NOTE:

5 Error: Incorrect punctuation in § 18-2503(7) of the Education Article.

6 Occurred: Ch. 606, Acts of 2000. Correction by the publisher of the
7 Annotated Code in the 2000 Supplement of the Education Article is
8 validated by this Act.

9 **Article - Environment**

10 2-901.

11 (b) A business entity may claim a tax credit in an amount equal to 50% of the
12 cost of providing the following commuter benefits to the business entity's employees:

13 (2) An instrument that:

14 (i) Entitles an individual, at no additional cost or at a reduced fare,
15 to transportation to or from a location in the State on a publicly or privately owned
16 mass transit system other than a taxi service; or

17 (ii) Is redeemable at a transit pass sales outlet for the purpose
18 stated in [item (2)(i) of this subsection] ITEM (I) OF THIS ITEM; or

19 DRAFTER'S NOTE:

20 Error: Stylistic error in § 2-901(b)(2)(ii) of the Environment Article.

21 Occurred: Ch. 559, Acts of 1999.

22 **Article - Estates and Trusts**

23 7-401.

24 (cc) (1) To comply with an environmental law, a personal representative may:

25 (iv) Pay from the estate the costs of an inspection, review, study,
26 abatement, response, cleanup, or other remedial action that involves an
27 environmental liability as provided under [§ 7-304] § 15-524 of this [title] ARTICLE.

28 DRAFTER'S NOTE:

29 Error: Erroneous cross-reference in § 7-401(cc)(1)(iv) of the Estates and
30 Trusts Article.

1 Occurred: As a result of Ch. 292, Acts of 2000.

2 15-508.

3 (d) Money is received in partial liquidation:

4 (2) If the total amount of money and property received in a distribution
5 or series of related distributions is greater than 20 percent of the entity's gross assets,
6 as shown by the entity's year-end financial statements immediately preceding the
7 initial receipt.

8 DRAFTER'S NOTE:

9 Error: Incorrect word usage in § 15-508(d)(2) of the Estates and Trusts
10 Article.

11 Occurred: Ch. 292, Acts of 2000. Correction by the publisher of the
12 Annotated Code in the 2000 Supplement of the Estates and Trusts Article
13 is validated by this Act.

14 15-522.

15 (a) (3) "Asset-backed security" does not include an asset to which § 15-508
16 or § 15-516 of this subtitle applies.

17 DRAFTER'S NOTE:

18 Error: Incorrect word usage in § 15-522(a)(3) of the Estates and Trusts
19 Article.

20 Occurred: Ch. 292, Acts of 2000. Correction by the publisher of the
21 Annotated Code in the 2000 Supplement of the Estates and Trusts Article
22 is validated by this Act.

23 **Article - Family Law**

24 5-1207.

25 (a) The Secretary of Human Resources and the Secretary of Health and
26 Mental Hygiene shall, in developing the protocol required under § 5-1202 of this
27 subtitle, consider the recommendations developed by the statewide Task Force to
28 Study Increasing the Availability of Substance Abuse Programs established under
29 Article 41, § 18-316 of the Code, AS ENACTED BY CHAPTER 778 OF THE ACTS OF THE
30 GENERAL ASSEMBLY OF 1998, AS AMENDED BY CHAPTER 390 OF THE ACTS OF THE
31 GENERAL ASSEMBLY OF 1999.

32 DRAFTER'S NOTE:

33 Error: Obsolete cross-reference in § 5-1207(a) of the Family Law Article.

34 Occurred: As a result of the abrogation of Article 41, § 18-316 of the Code.

1 Language is added to clarify that although Article 41, § 18-316 of the Code
2 is abrogated, the Secretaries are required to consider the recommendations
3 developed by the Task Force.

4 **Article - Financial Institutions**

5 13-720.

6 [(a)] For purposes of applying for, receiving, and entering into agreements in
7 connection with loans, grants, insurance, or other forms of financial assistance, the
8 Authority is[:

9 (1) A] A public body within the meaning of the Maryland Industrial
10 Development Financing Authority Act[; and

11 (2) A political subdivision within the meaning of the Maryland Industrial
12 Land Act and the Maryland Industrial and Commercial Redevelopment Fund Act].

13 [(b) Article 83A, §§ 5-712, 5-713, and 5-803(c)(3) of the Code do not apply to
14 the Authority when it is receiving financial assistance as authorized under subsection
15 (a) of this section.]

16 DRAFTER'S NOTE:

17 Error: Obsolete language and cross-references in § 13-720 of the Financial
18 Institutions Article.

19 Occurred: As a result of Ch. 305, Acts of 2000.

20 13-1028.

21 [(a)] For purposes of applying for, receiving, and entering into agreements in
22 connection with loans, grants, insurance, or other forms of financial assistance, the
23 Authority is[:

24 (1) A] A public body within the meaning of the Maryland Industrial
25 Development Financing Authority Act[; and

26 (2) A political subdivision within the meaning of the Maryland Industrial
27 Land Act and the Maryland Industrial and Commercial Redevelopment Fund Act].

28 [(b) Article 83A, §§ 5-712, 5-713, and 5-803(c)(3) of the Code do not apply to
29 the Authority when it is receiving financial assistance authorized under subsection
30 (a) of this section.]

31 DRAFTER'S NOTE:

32 Error: Obsolete language and cross-references in § 13-1028 of the
33 Financial Institutions Article.

34 Occurred: As a result of Ch. 305, Acts of 2000.

1

Article - Health - General

2 4-302.1.

3 (b) The Maryland Health Care Commission shall adopt regulations to carry
4 out this section.

5 DRAFTER'S NOTE:

6 Error: Erroneous internal reference in § 4-302.1(b) of the Health - General
7 Article.

8 Occurred: Ch. 270, Acts of 2000. Correction by the publisher of the
9 Annotated Code in the 2000 Replacement Volume of the Health - General
10 Article is validated by this Act.

11 4-307.

12 (e) (5) The provisions of this subsection may not restrict access to or affect
13 the disclosure of a medical record which is also an education record under the federal
14 Individuals with Disabilities Education Act, the federal Family Educational Rights
15 and Privacy Act, or any federal and State regulations that have been adopted to
16 implement those laws.

17 DRAFTER'S NOTE:

18 Error: Misnomer in § 4-307(e)(5) of the Health - General Article.

19 Occurred: Ch. 270, Acts of 2000. Correction by the publisher of the
20 Annotated Code in the 2000 Replacement Volume of the Health - General
21 Article is validated by this Act.

22 5-805.

23 (d) (3) Except as provided in paragraph (2) of this subsection, Committee
24 members may not communicate directly with the provider, a State residential center
25 director, or a family member, or guardian of the individual who is the subject of a
26 death report.

27 DRAFTER'S NOTE:

28 Error: Erroneous internal reference in § 5-805(d)(3) of the Health -
29 General Article.

30 Occurred: Ch. 470, Acts of 2000. Correction by the publisher of the
31 Annotated Code in the 2000 Replacement Volume of the Health - General
32 Article is validated by this Act.

1 7-910.

2 (b) Any applicant or licensee who knowingly and willfully makes a false
3 statement in connection with an application under this subtitle shall be guilty of a
4 misdemeanor[,] and upon conviction shall be subject to a fine not to exceed \$1,000, or
5 imprisonment not exceeding 1 year, or both.

6 DRAFTER'S NOTE:

7 Error: Extraneous comma in § 7-910(b) of the Health - General Article.

8 Occurred: Chs. 636 and 637, Acts of 1986.

9 8-6C-02.

10 (b) The Fund shall be administered according to this subtitle.

11 DRAFTER'S NOTE:

12 Error: Incorrect word usage in § 8-6C-02(b) of the Health - General
13 Article.

14 Occurred: Ch. 675, Acts of 2000. Correction by the publisher of the
15 Annotated Code in the 2000 Replacement Volume of the Health - General
16 Article is validated by this Act.

17 8-6C-03.

18 (b) On or before December 1 of each year, the Department shall issue a report
19 to the Governor and, SUBJECT TO § 2-1246 OF THE STATE GOVERNMENT ARTICLE, to
20 the General Assembly evaluating the results of funded partnerships using the
21 performance and outcome indicators adopted by the Department and the Task Force
22 to Study Increasing the Availability of Substance Abuse Programs.

23 DRAFTER'S NOTE:

24 Error: Omitted reference in § 8-6C-03(b) of the Health - General Article.

25 Occurred: Ch. 675, Acts of 2000.

26 13-904.

27 (c) A member of the Advisory Council:

28 (1) May not receive compensation; BUT

29 DRAFTER'S NOTE:

30 Error: Omitted conjunction in § 13-904(c)(1) of the Health - General
31 Article.

1 Occurred: Chs. 1 and 2, Acts of 1998.

2 13-1101.

3 (p) "Maryland [Science, Engineering, and] Technology Development
4 Corporation" means the entity that is established under Article 83A, § 5-2A-02 of the
5 Code.

6 DRAFTER'S NOTE:

7 Error: Misnomer in § 13-1101(p) of the Health - General Article.

8 Occurred: As a result of Ch. 13, Acts of 2000.

9 13-1109.

10 (a) Except as provided in [§ 13-1115(g)] § 13-1115(F) of this subtitle, this
11 section does not apply to Baltimore City.

12 DRAFTER'S NOTE:

13 Error: Incorrect cross-reference in § 13-1109(a) of the Health - General
14 Article.

15 Occurred: Chs. 17 and 18, Acts of 2000.

16 13-1112.

17 (a) Except as provided in [§ 13-1115(g)] § 13-1115(F) of this subtitle, this
18 section does not apply in Baltimore City.

19 DRAFTER'S NOTE:

20 Error: Incorrect cross-reference in § 13-1112(a) of the Health - General
21 Article.

22 Occurred: Chs. 17 and 18, Acts of 2000.

23 13-1114.

24 (d) (1) Subject to paragraph (2) of this subsection, the University of
25 Maryland Medical Group and the Johns Hopkins Institutions, at the request of a
26 Community Health Coalition in Montgomery COUNTY or Prince George's [county]
27 COUNTY, as provided under § 13-1109(e) of this subtitle, shall collaborate with the
28 Community Health Coalition for the purpose of developing and implementing a
29 specific plan as to how the expertise of the institution will be used to assist the
30 Community Health Coalition in achieving the goals established for the county under
31 § 13-1108 of this subtitle as they relate to enhancing the capacity for cancer screening
32 and treatment at one or more major community hospitals in the county.

33 DRAFTER'S NOTE:

1 Error: Capitalization error and omitted words in § 13-1114(d)(1) of the
2 Health - General Article.

3 Occurred: Chs. 17 and 18, Acts of 2000.

4 13-1116.

5 (b) Before receiving a Statewide Academic Health Center Cancer Research
6 Grant, an institution shall:

7 (2) Enter into a memorandum of understanding with the Department of
8 Health and Mental Hygiene, the Department of Business and Economic
9 Development, and the Maryland [Science, Engineering, and] Technology
10 Development Corporation that:

11 DRAFTER'S NOTE:

12 Error: Misnomer in § 13-1116(b)(2) of the Health - General Article.

13 Occurred: As a result of Ch. 13, Acts of 2000.

14 13-1117.

15 (c) Before receiving a Tobacco-Related Diseases Research Grant, the
16 University of Maryland Medical System shall:

17 (2) Enter into a memorandum of understanding with the Department of
18 Health and Mental Hygiene, the Department of Business and Economic
19 Development, and the Maryland [Science, Engineering, and] Technology
20 Development Corporation that:

21 DRAFTER'S NOTE:

22 Error: Misnomer in § 13-1117(c)(2) of the Health - General Article.

23 Occurred: As a result of Ch. 13, Acts of 2000.

24 15-102.3.

25 (d) [(1) Except as otherwise provided in this subsection, the provisions of §
26 19-718 of this article (Financial affairs examination) shall apply to managed care
27 organizations in the same manner they apply to health maintenance organizations.

28 (2)] The Insurance Commissioner or an agent of the Commissioner shall
29 examine the financial affairs and status of each managed care organization at least
30 once every 5 years.

31 DRAFTER'S NOTE:

32 Error: Cross-reference to a repealed section in § 15-102.3(d) of the
33 Health - General Article.

1 Occurred: As a result of Ch. 465, Acts of 2000.

2 15-301.1.

3 (c) (1) An eligible individual who is enrolled in the MCHP private option
4 plan shall be insured through an employer's health benefit plan if:

5 (vi) The plan does not impose cost sharing requirements on eligible
6 individuals.

7 DRAFTER'S NOTE:

8 Error: Incorrect word usage in § 15-301.1(c)(1)(vi) of the Health - General
9 Article.

10 Occurred: Chs. 15 and 16, Acts of 2000. Correction by the publisher of the
11 Annotated Code in the 2000 Replacement Volume of the Health - General
12 Article is validated by this Act.

13 15-602.

14 (b) The carrier is not required, in providing the Plan, to offer any other benefit
15 otherwise required under Title 19, Subtitle 7 of this article or Title 15, Subtitle 8 of
16 the Insurance Article.

17 DRAFTER'S NOTE:

18 Error: Erroneous internal reference in § 15-602(b) of the Health - General
19 Article.

20 Occurred: Ch. 565, Acts of 2000. Correction by the publisher of the
21 Annotated Code in the 2000 Replacement Volume of the Health - General
22 Article is validated by this Act.

23 18-106.

24 (f) (2) Paragraph (1) of this subsection does not apply if the responses of the
25 child's parent or guardian on a questionnaire furnished by the Secretary and
26 administered by a pediatrician indicate that the child is at high risk for lead
27 poisoning.

28 DRAFTER'S NOTE:

29 Error: Misspelling in § 18-106(f)(2) of the Health - General Article.

30 Occurred: Ch. 677, Acts of 2000. Correction by the publisher of the
31 Annotated Code in the 2000 Replacement Volume of the Health - General
32 Article is validated by this Act.

1 18-213.

2 (a) (3) "Law enforcement officer" means any person who, in an official
3 capacity, is authorized by law to make arrests and who is a member of one of the
4 following law enforcement agencies:

5 (ix) The [Investigative Services Unit] FIELD ENFORCEMENT
6 DIVISION of the Comptroller's Office;

7 DRAFTER'S NOTE:

8 Error: Misnomer in § 18-213(a)(3)(ix) of the Health - General Article.

9 Occurred: As a result of administratively changed Division name.
10 Requested by Assistant Attorney General Gerald Langbaum, Counsel to
11 the Comptroller.

12 18-213.2.

13 (a) (8) "Law enforcement officer" means any individual who, in an official
14 capacity, is authorized by law to make arrests and who is a member of one of the
15 following law enforcement agencies:

16 (ix) The [Investigative Services Unit] FIELD ENFORCEMENT
17 DIVISION of the Comptroller's Office; or

18 DRAFTER'S NOTE:

19 Error: Misnomer in § 18-213.2(a)(8)(ix) of the Health - General Article.

20 Occurred: As a result of administratively changed Division name.
21 Requested by Assistant Attorney General Gerald Langbaum, Counsel to
22 the Comptroller.

23 19-134.

24 (g) (2) (i) On an annual basis, the Commission shall publish:

25 1. The total reimbursement for all health care services over a
26 12-month period;

27 2. The total reimbursement for each health care specialty
28 over a 12-month period;

29 3. The total reimbursement for each code over a 12-month
30 period; and

31 4. The annual rate of change in reimbursement for health
32 services by health care specialties and by code.

1 (ii) In addition to the information required under [item]
2 SUBPARAGRAPH (i) of this paragraph, the Commission may publish any other
3 information that the Commission deems appropriate, including information on
4 capitated health care services.

5 DRAFTER'S NOTE:

6 Error: Incorrect word usage in § 19-134(g)(2)(i)2 of the Health - General
7 Article and stylistic error in § 19-134(g)(2)(ii) of the Health - General
8 Article.

9 Occurred: Ch. 64, Acts of 2000. Correction of the error in § 19-134(g)(2)(i)2
10 of the Health - General Article by the publisher of the Annotated Code in
11 the 2000 Replacement Volume of the Health - General Article is validated
12 by this Act.

13 19-703.

14 (c) Health maintenance organizations shall offer as an option to all of their
15 members or subscribers benefits for hospice services provided by a hospice care
16 program, as defined in § 19-901(c) of this title.

17 DRAFTER'S NOTE:

18 Error: Grammatical error in § 19-703(c) of the Health - General Article.

19 Occurred: Ch. 499, Acts of 1982. Correction by the publisher of the
20 Annotated Code in the 2000 Replacement Volume of the Health - General
21 Article is validated by this Act.

22 19-703.1.

23 (b) (2) It shall not be considered to be discriminatory under paragraph (1) of
24 this subsection if at least the following benefits are provided:

25 (i) With respect to inpatient benefits provided in a licensed or
26 certified facility, which shall include hospital inpatient benefits, the total number of
27 days for which benefits are payable shall be:

28 1. Except as provided in subsection (d) of this section, from
29 July 1, 1994 through June 30, 1995, at least 60 days in any calendar year or benefit
30 period of not more than 12 months under the same terms and conditions that apply to
31 benefits available under the contract or certificate for physical illness; and

32 2. On or after July 1, 1995, at least equal to the same terms
33 and conditions that apply to the benefits available under the contract or certificate for
34 physical illness;

35 (ii) Subject to subsection (f) of this section, with respect to benefits
36 for partial hospitalization, at least 60 days of partial hospitalization shall be covered

1 under the same terms and conditions that apply to the benefit available under the
2 contract or certificate for physical illness; and

3 (iii) With respect to outpatient coverage, other than for inpatient or
4 partial hospitalization services, benefits for covered expenses arising from services
5 which are rendered to treat mental illness, emotional disorders, drug abuse and
6 alcohol abuse shall be at a rate which is, after the applicable deductible, not less than:

7 1. 80 percent for the first 5 visits in any calendar year or
8 benefit period of not more than 12 months;

9 2. 65 percent for the 6th through 30th visit in any calendar
10 year or benefit period of not more than 12 months; and

11 3. 50 percent for the 31st visit and any visit after the 31st
12 visit in any calendar year or benefit period of not more than 12 months.

13 DRAFTER'S NOTE:

14 Error: Stylistic error in § 19-703.1(b)(2) of the Health - General Article.

15 Occurred: Ch. 2, Acts of 1994. Correction by the publisher of the Annotated
16 Code in the 2000 Replacement Volume of the Health - General Article is
17 validated by this Act.

18 19-730.

19 (a) If any person violates any provision of § 19-729 of this subtitle, the
20 Commissioner may:

21 (1) Issue an administrative order that requires the health maintenance
22 organization to:

23 (i) Cease inappropriate conduct or practices by it or any of the
24 personnel employed or associated with it;

25 (ii) Fulfill its contractual obligations;

26 (iii) Provide a service that has been denied improperly;

27 (iv) Take appropriate steps to restore its ability to provide a service
28 that is provided under a contract;

29 (v) Cease the enrollment of any additional enrollees except
30 newborn children or other newly acquired dependents [or] OF existing enrollees; or

31 (vi) Cease any advertising or solicitation;

32 DRAFTER'S NOTE:

33 Error: Incorrect word usage in § 19-730(a)(1)(v) of the Health - General

1 Article.

2 Occurred: Ch. 816, Acts of 1986.

3 19-1407.

4 (a) (1) There is a Health Care Quality Account established in the
5 Department.

6 (2) The Account shall be funded by civil money penalties paid by nursing
7 homes and other penalties that the Office of Health Care Quality may assess.

8 (3) The Department shall pay all penalties collected under this title to
9 the Comptroller of the State.

10 (4) The Comptroller shall distribute the funds collected under this title
11 to the Health Care Quality Account.

12 (5) The [Fund] ACCOUNT is a continuing nonlapsing fund, not subject to
13 § 7-302 of the State Finance and Procurement Article.

14 (6) Any unspent portions of the [Fund] ACCOUNT may not be
15 transferred or reverted to the General Fund of the State, but shall remain in the
16 [Fund] ACCOUNT to be used for the purposes specified in this section.

17 DRAFTER'S NOTE:

18 Error: Incorrect word usage in § 19-1407(a)(5) and (6) of the Health -
19 General Article.

20 Occurred: Chs. 219 and 488, Acts of 2000.

21 21-801.

22 (a) In this subtitle the following words have the meanings indicated.

23 DRAFTER'S NOTE:

24 Error: Stylistic error in § 21-801(a) of the Health - General Article.

25 Occurred: Ch. 240, Acts of 1982. Correction by the publisher of the
26 Annotated Code in the 2000 Replacement Volume of the Health - General
27 Article is validated by this Act.

28 **Article - Health Occupations**

29 4-308.

30 (c) While it is effective, a retired volunteer dentist's license to practice
31 dentistry issued under this title authorizes the licensee to practice dentistry:

1 (2) Only for an entity providing medical care to the poor, elderly, or
2 handicapped that is operated by:

3 (iii) Any other [setting] ENTITY authorized under regulations
4 adopted by the Board;

5 DRAFTER'S NOTE:

6 Error: Incorrect word usage in § 4-308(c)(2)(iii) of the Health Occupations
7 Article.

8 Occurred: Ch. 83, Acts of 2000.

9 8-7B-01.

10 (g) A member of the Commission may not receive compensation but is entitled
11 to reimbursement for expenses under the Standard State Travel Regulations, as
12 provided in the State budget.

13 DRAFTER'S NOTE:

14 Error: Omitted word "State" in § 8-7B-01(g) of the Health Occupations
15 Article.

16 Occurred: Ch. 258, Acts of 2000. Correction by the publisher of the
17 Annotated Code in the 2000 Replacement Volume of the Health
18 Occupations Article is validated by this Act.

19 10-101.

20 (p) (1) "Occupational therapy procedures" include:

21 (v) Applying physical agent modalities as adjuncts to or in
22 preparation for purposeful activity with appropriate training, as specified by the
23 Board in regulations;

24 DRAFTER'S NOTE:

25 Error: Incorrect word usage in § 10-101(p)(1)(v) of the Health Occupations
26 Article.

27 Occurred: Ch. 412, Acts of 2000. Correction by the publisher of the
28 Annotated Code in the 2000 Replacement Volume of the Health
29 Occupations Article is validated by this Act.

30 10-319.

31 (c) An impaired occupational therapist professionals committee of the Board
32 or recognized by the Board may function:

33 (1) Solely for the Board; or

1 (i) state in detail in clear, understandable language the specific
2 factual bases for the carrier's decision; and

3 (ii) include the following information:

4 1. that the member, or a health care provider acting on
5 behalf of the member, has a right to file a complaint with the Commissioner within 60
6 working days after receipt of a carrier's appeal decision; and

7 2. the Commissioner's address, telephone number, and
8 facsimile number.

9 DRAFTER'S NOTE:

10 Error: Incorrect word usage in § 15-10D-02(f)(2) of the Insurance Article.

11 Occurred: Ch. 371, Acts of 2000. Correction by the publisher of the
12 Annotated Code in the 2000 Supplement of the Insurance Article is
13 validated by this Act.

14 (i) The Commissioner shall:

15 (2) provide notice in writing to all parties to a complaint of the
16 opportunity and time period for requesting a hearing to be held in accordance with
17 Title 10, Subtitle 2 of the State Government Article to contest a final decision of the
18 Commissioner made and issued under this subtitle.

19 DRAFTER'S NOTE:

20 Error: Omitted comma in § 15-10D-02(i)(2) of the Insurance Article.

21 Occurred: Ch. 371, Acts of 2000. Correction by the publisher of the
22 Annotated Code in the 2000 Supplement of the Insurance Article is
23 validated by this Act.

24 15-1208.

25 (c) Except as provided in subsection (d) of this section, for a period not to
26 exceed 6 months after the date an individual becomes an eligible employee, a health
27 benefit plan may require deductibles and cost-sharing for benefits for a preexisting
28 condition of the eligible employee in amounts not exceeding 1.5 times the amount of
29 the standard deductibles and cost-sharing of other eligible employees if:

30 (1) the employee was not previously covered by a public or private plan
31 of health insurance or another health benefit arrangement; and

32 (2) the employee was not previously employed by that employer.

33 (d) Subsection (c) of this section does not apply to an individual or a family
34 member of an individual who is eligible for enrollment in the MCHP private option

1 plan established under § 15-301.1 of the Health - General Article and is a late
2 enrollee.

3 DRAFTER'S NOTE:

4 Error: Incorrect numbering and incorrect internal cross-references in §
5 15-1208(c) and (d) of the Insurance Article.

6 Occurred: Chs. 15, 16, and 32, Acts of 2000. Correction by the publisher of
7 the Annotated Code in the 2000 Supplement of the Insurance Article is
8 validated by this Act.

9 15-1210.

10 (a) (1) A carrier that offers coverage to a small employer shall:

11 (i) offer coverage to all of its eligible employees and all of their
12 eligible dependents;

13 (ii) at the election of the small employer, offer coverage to all of its
14 part-time employees who have a normal workweek of at least 17 1/2 but less than 30
15 hours per week and have been continuously employed for at least 4 consecutive
16 months;

17 (iii) at the election of the small employer, offer coverage to all of its
18 employees who are covered under another public or private plan of health insurance
19 or another health benefit arrangement; and

20 (iv) establish an annual open enrollment period for self-employed
21 individuals for at least 30 consecutive days in each 6-month period.

22 DRAFTER'S NOTE:

23 Error: Incorrect numbering in § 15-1210(a)(1) of the Insurance Article.

24 Occurred: Ch. 400, Acts of 2000. Correction by the publisher of the
25 Annotated Code in the 2000 Supplement of the Insurance Article is
26 validated by this Act.

27 15-1406.

28 (c) Rules for eligibility to enroll under a plan [includes] INCLUDE rules
29 defining any applicable waiting periods for enrollment.

30 DRAFTER'S NOTE:

31 Error: Grammatical error in § 15-1406(c) of the Insurance Article.

32 Occurred: Ch. 294, Acts of 1997.

1 17-203.

2 (a) Subject to the requirements of this section, a policy may be issued to a
3 trust or to the trustees of a fund established or adopted by two or more employers, or
4 by one or more labor unions or similar employee organizations, or by one or more
5 employers and one or more labor unions or similar employee organizations, which
6 trust or trustees shall be deemed the policyholder, to insure employees of the
7 employers or members of the unions or organizations for the benefit of persons other
8 than the [employees] EMPLOYERS or the unions or organizations.

9 DRAFTER'S NOTE:

10 Error: Incorrect word usage in § 17-203(a) of the Insurance Article.

11 Occurred: Ch. 659, Acts of 1999.

12 **Article - Labor and Employment**

13 [5-308.1.

14 (a) (1) In this section the following words have the meanings indicated.

15 (2) (i) "Bloodborne pathogens" means pathogenic microorganisms that
16 are present in human blood and can cause disease in humans.

17 (ii) "Bloodborne pathogens" include, but are not limited to,
18 hepatitis B virus (HBV), hepatitis C virus (HCV), and human immunodeficiency virus
19 (HIV).

20 (3) "Department" means the Department of Health and Mental Hygiene.

21 (4) "Engineered sharps injury protection" means either:

22 (i) a physical attribute built into a needle device used for
23 withdrawing body fluids, accessing a vein or artery, or administering medications or
24 other fluids, which effectively reduces the risk of an exposure incident by a
25 mechanism such as barrier creation, blunting, encapsulation, withdrawal, retraction,
26 destruction, or other effective mechanisms; or

27 (ii) a physical attribute built into any other type of needle device, or
28 into a nonneedle sharp, which effectively reduces the risk of an exposure incident.

29 (5) "Needleless systems" mean devices that do not utilize needles for:

30 (i) the withdrawal of body fluids after initial venous or arterial
31 access is established;

32 (ii) the administration of medication or fluids; and

33 (iii) any other procedure involving the potential for an exposure
34 incident.

1 (6) "Secretary" means the Secretary of the Department of Health and
2 Mental Hygiene.

3 (7) "Sharps" mean any objects used or encountered in a health care
4 setting that can be reasonably anticipated to penetrate the skin or any other part of
5 the body, and to result in an exposure incident, including, but not limited to, needle
6 devices, scalpels, lancets, broken glass, broken capillary tubes, exposed ends of dental
7 wires and dental knives, drills, and burs.

8 (b) (1) Subject to the provisions of paragraph (2) of this subsection, the
9 Department shall hold hearings and prepare a report on the establishment of a
10 bloodborne pathogen standard governing occupational exposure to blood and other
11 potentially infectious materials on the basis of a study conducted by the Department
12 which includes:

13 (i) evaluating needleless systems and sharps with engineered
14 sharps injury protection;

15 (ii) considering training and education requirements and increased
16 use of personal protective equipment;

17 (iii) compiling a list of existing needleless systems and sharps with
18 engineered sharps injury protection to assist employers in complying with the
19 requirement of a bloodborne pathogen standard;

20 (iv) considering exceptions to the standard;

21 (v) considering the cost, cost benefit analysis, and potential
22 offsetting savings associated with a bloodborne pathogen standard, and the
23 availability of needleless systems;

24 (vi) considering the Centers for Disease Control's guidelines on
25 universal precautions; and

26 (vii) considering the relevant requirements or recommendations of
27 the Occupational Safety and Health Administration.

28 (2) The Department shall perform the duties specified in paragraph (1)
29 of this subsection in consultation with:

30 (i) the Maryland Occupational Safety and Health Administration;

31 (ii) the Maryland Hospital Association;

32 (iii) the Maryland Nurses Association;

33 (iv) the Maryland Institute for Emergency Medical Services
34 Systems;

35 (v) the Medical and Chirurgical Faculty of the State of Maryland;

- 1 (vi) the Service Employees International Union of Maryland;
2 (vii) the Professional Staff Nurses Association of Maryland; and
3 (viii) the Maryland State Dental Association.

4 (c) The Department shall complete the study and submit to the General
5 Assembly, in accordance with § 2-1246 of the State Government Article, and the
6 Secretary a report on the proposed or recommended regulations on or before January
7 1, 2000.

8 (d) This section may be cited as the "Health Care Workers' Safety Act".]
9 [5-1001.] 5-308.1.

10 (a) The Commissioner, in consultation with the Secretary of the Department
11 of Health and Mental Hygiene, shall adopt regulations to implement the Bloodborne
12 Pathogen Standard [as established] ADOPTED by the federal Occupational Safety
13 and Health Administration in 29 C.F.R. 1910.1030, [effective] AS INTERPRETED IN
14 THE DIRECTIVE ISSUED BY THE OCCUPATIONAL SAFETY AND HEALTH
15 ADMINISTRATION ON November 5, 1999.

16 (b) The Commissioner shall submit notice regarding any modifications made
17 to, OR DIRECTIVES ISSUED INTERPRETING, the federal Bloodborne Pathogen
18 Standard after November 5, 1999 and, subject to § 2-1246 of the State Government
19 Article, make recommendations for any legislative changes to the House
20 Environmental Matters Committee, the Senate Economic and Environmental Affairs
21 Committee, and the General Assembly within 30 days of the issuance of modifications
22 to the Bloodborne Pathogen Standard.

23 DRAFTER'S NOTE:

24 Error: Obsolete statutory authorization for a now completed study of
25 bloodborne pathogens in § 5-308.1 of the Labor and Employment Article
26 and a misplacement of the section codifying the recommendations of that
27 study in § 5-1001 of the Labor and Employment Article.

28 Also, mischaracterization of the November 9, 1999 action taken by the
29 federal Occupational Safety and Health Administration in § 5-1001 of the
30 Labor and Employment Article.

31 Occurred: Ch. 367, Acts of 2000.

32 9-410.

33 (b) An insurer that provides workers' compensation insurance in the State[,]
34 shall establish a toll-free telephone number through which an insured or claimant, or
35 a representative of an insured or claimant, may make direct telephone inquiries
36 during regular business hours.

1 DRAFTER'S NOTE:

2 Error: Extraneous comma in § 9-410(b) of the Labor and Employment
3 Article.

4 Occurred: Ch. 468, Acts of 2000.

5 **Article - Natural Resources**

6 4-306.

7 Article III

8 Section 7. The commission may call upon the resources and assistance of the
9 Virginia [fisheries laboratory] INSTITUTE OF MARINE SCIENCE, the University
10 System of Maryland, and all other agencies, institutions, and departments of
11 Maryland and Virginia which shall cooperate fully with the commission upon such
12 request.

13 DRAFTER'S NOTE:

14 Error: Misnomer in § 4-306, Article III, Section 7 of the Natural Resources
15 Article.

16 Occurred: As a result of an institutional name change (in the Potomac
17 River Compact) enacted by Ch. 216, Acts of 1998 of the Virginia General
18 Assembly.

19 5-906.

20 (a) Each local project shall conform to a comprehensive plan the local
21 governing body approves and have the approval of official planning agencies having
22 jurisdiction, including comprehensive planning agencies. [Notwithstanding this
23 requirement, § 5-911 of this subtitle controls in the case of a local project that is
24 located in a municipal corporation that is located in more than one county within the
25 Maryland-Washington Regional District.]

26 DRAFTER'S NOTE:

27 Error: Obsolete provision in § 5-906(a) of the Natural Resources Article.

28 Occurred: As a result of Ch. 93, Acts of 1997.

29 8-712.1.

30 (c) Within 30 days after the sale or other transfer of a vessel that is displaying
31 or should display a sticker under this section:

32 (1) The transferor shall give notice of the transfer to the Department on
33 a form that the Department requires; and

1 (2) If the transferee intends to continue to use the vessel principally on
 2 the waters of the State, the transferee shall submit an application for a Maryland use
 3 sticker and pay the fee as required by subsection (b) of this section.

4 DRAFTER'S NOTE:

5 Error: Omitted word in § 8-712.1(c) of the Natural Resources Article.

6 Occurred: Ch. 434, Acts of 1994. Correction by the publisher of the
 7 Annotated Code in the 2000 Replacement Volume of the Natural Resources
 8 Article is validated by this Act.

9 10-906.

10 (f) (2) In addition to any other penalty provided by the provisions of this
 11 title, if a person who holds a permit to establish and operate a regulated shooting
 12 ground under this section or any other guest of that person is convicted of violating on
 13 the premises of the regulated shooting ground a provision of State or federal law or
 14 regulation that establishes daily or seasonal bag limits, prohibits baiting, or prohibits
 15 the hunting of wetland game birds on a regulated shooting ground by the use or aid of
 16 live birds as decoys, the Secretary shall suspend the permit:

17 (i) For the first conviction, for the following permit year; and

18 (ii) For the second or subsequent conviction, for the following 2
 19 permit years.

20 DRAFTER'S NOTE:

21 Error: Incorrect internal reference in § 10-906(f)(2) of the Natural
 22 Resources Article.

23 Occurred: Ch. 500, Acts of 1994. Correction by the publisher of the
 24 Annotated Code in the 2000 Replacement Volume of the Natural Resources
 25 Article is validated by this Act.

26 **Article - Public Utility Companies**

27 2-103.

28 (a) With the advice and consent of the Senate, the Governor shall [designate]
 29 APPOINT a Chairman [from among the commissioners].

30 DRAFTER'S NOTE:

31 Error: Incorrect word usage and extraneous language in § 2-103(a) of the
 32 Public Utility Companies Article.

33 Occurred: Ch. 8, Acts of 1998, as a result of the revision of references to the
 34 Chairman of the Public Service Commission derived from former Article

1 78, §§ 5 and 6. The correction reflects the long-standing practice of the
2 Commission, consistent with the former law, that the Chairman is
3 appointed by the Governor and confirmed by the Senate as Chairman, may
4 be appointed either from other existing commissioners or from outside the
5 Commission, and serves an independent term as Chairman without regard
6 to any prior term as a commissioner. The correction is made at the
7 suggestion of the Office of the Attorney General.

8 9-311.

9 (a) (4) The county shall notify the railroad company through its
10 superintendent or ticket agent in the county that, within 60 days, the railroad
11 company shall:

12 (iii) change the [at grade] crossing AT GRADE to an undergrade or
13 overgrade crossing.

14 DRAFTER'S NOTE:

15 Error: Stylistic error in § 9-311(a)(4)(iii) of the Public Utility Companies

16 Article.

17 Occurred: Ch. 8, Acts of 1998.

18

Article - Real Property

19 8-401.

20 (b) (4) (i) The constable or sheriff shall proceed to serve the summons
21 upon the tenant, assignee or subtenant or their known or authorized agent as follows:

22 1. If personal service is requested and any of the persons
23 whom the sheriff shall serve is found on the property, the sheriff shall serve any such
24 persons; OR

25 2. If personal service is requested and none of the persons
26 whom the sheriff is directed to serve shall be found on the property and, in all cases
27 where personal service is not requested, the constable or sheriff shall affix an attested
28 copy of the summons conspicuously upon the property.

29 DRAFTER'S NOTE:

30 Error: Omitted conjunction in § 8-401(b)(4)(i)1 of the Real Property
31 Article.

32 Occurred: Ch. 649, Acts of 1999.

1 **Article - State Finance and Procurement**

2 3-407.

3 (a) (2) Of the members of the Board:

4 (viii) one shall be the Executive Director, or the designee of the
5 Executive Director, of the Maryland [Science, Engineering, and] Technology
6 Development Corporation;

7 DRAFTER'S NOTE:

8 Error: Misnomer in § 3-407(a)(2)(viii) of the State Finance and
9 Procurement Article.

10 Occurred: As a result of Ch. 3, Acts of 2000.

11 5-814.

12 (a) The Commission consists of the following 34 voting members appointed by
13 the Governor:

14 (7) as ex officio members:

15 (iv) the Secretary [of the Department] of Planning or a designee;

16 DRAFTER'S NOTE:

17 Error: Misnomer in § 5-814(a)(7)(iv) of the State Finance and
18 Procurement Article.

19 Occurred: Ch. 209, Acts of 2000.

20 13-212.

21 (b) The Board shall adopt regulations concerning the disclosure and
22 evaluation of [conflict of interests] CONFLICTS OF INTEREST under this section.

23 DRAFTER'S NOTE:

24 Error: Grammatical error in § 13-212(b) of the State Finance and
25 Procurement Article.

26 Occurred: Ch. 406, Acts of 2000.

27 13-225.

28 (b) (1) If a contractor has furnished 100% payment security and 100%
29 performance security in accordance with Title 17, Subtitle 1 of this article under a
30 State procurement contract for construction, the percentage specified in the contract
31 for retainage may not exceed 5% of the total amount.

1 DRAFTER'S NOTE:

2 Error: Extraneous comma § 13-225(b)(1) of the State Finance and
3 Procurement Article.

4 Occurred: Ch. 621, Acts of 2000. Correction by the publisher of the
5 Annotated Code in the 2000 Supplement of the State Finance and
6 Procurement Article is validated by this Act.

7 **Article - State Government**

8 8-403.

9 (b) Except as otherwise provided in subsection (a) of this section, on or before
10 the evaluation date for the following governmental activities or units, an evaluation
11 shall be made of the following governmental activities or units and the statutes and
12 regulations that relate to the governmental activities or units:

13 (19) Docking Masters, State Board of (§ 5.5-201 of the Business
14 Occupations and Professions Article: July 1, 2009);

15 (20) Economic Growth, Resource Protection, and Planning Commission,
16 State (§ 5-702 of the State Finance and Procurement Article: July 1, 2002);

17 (21) Electricians, State Board of Master (§ 6-201 of the Business
18 Occupations and Professions Article: July 1, 2002);

19 (22) Electrologists, State Board of (§ 6-201 of the Health Occupations
20 Article: July 1, 2003);

21 (23) Engineers, Board of Examining (§ 4-1 of the Public Local Laws of
22 Baltimore City: July 1, 2002);

23 (24) Engineers, State Board for Professional (§ 14-201 of the Business
24 Occupations and Professions Article: July 1, 2002);

25 (25) Environmental Sanitarians, State Board of (§ 11-201 of the
26 Environment Article: July 1, 2002);

27 (26) Financial Regulation, Office of the Commissioner of (§ 2-101 of the
28 Financial Institutions Article: July 1, 2001);

29 (27) Foresters, State Board of (§ 7-201 of the Business Occupations and
30 Professions Article: July 1, 2003);

31 (28) Health Care Commission, Maryland (§ 19-1502 of the Health -
32 General Article: July 1, 2002);

33 (29) Health Services Cost Review Commission, State (§ 19-202 of the
34 Health - General Article: July 1, 2002);

- 1 (30) Heating, Ventilation, Air-Conditioning, and Refrigeration
2 Contractors, State Board of (§ 9A-201 of the Business Regulation Article: July 1,
3 2002);
- 4 (31) Home Improvement Commission, Maryland (§ 8-201 of the Business
5 Regulation Article: July 1, 2011);
- 6 (32) Horse Industry Board, Maryland (§ 2-701 of the Agriculture Article:
7 July 1, 2005);
- 8 (33) Individuals with Disabilities, Office for (§ 9-1102 of the State
9 Government Article: July 1, 2003);
- 10 (34) Insurance Commissioner and Administration (§§ 2-101 and 2-103 of
11 the Insurance Article: July 1, 2002);
- 12 (35) Interior Designers, State Board of Certified (§ 8-201 of the Business
13 Occupations and Professions Article: July 1, 2003);
- 14 (36) Labor and Industry, Division of (Title 2 of the Labor and Employment
15 Article: July 1, 2003);
- 16 (37) Land Surveyors, State Board for Professional (§ 15-201 of the
17 Business Occupations and Professions Article: July 1, 2002);
- 18 (38) Landscape Architects, State Board of Examiners of (§ 9-201 of the
19 Business Occupations and Professions Article: July 1, 2002);
- 20 (39) Law Examiners, State Board of (§ 10-201 of the Business
21 Occupations and Professions Article: July 1, 2003);
- 22 (40) Maryland-Bred Race Fund Advisory Committee (§ 11-531 of the
23 Business Regulation Article: July 1, 2010);
- 24 (41) Morticians, State Board of (§ 7-201 of the Health Occupations
25 Article: July 1, 2001);
- 26 (42) Nursing, State Board of (§ 8-201 of the Health Occupations Article:
27 July 1, 2002);
- 28 (43) Nursing Home Administrators, State Board of Examiners of (§ 9-201
29 of the Health Occupations Article: July 1, 2002);
- 30 (44) Occupational Safety and Health Advisory Board (§ 5-302 of the Labor
31 and Employment Article: July 1, 2003);
- 32 (45) Occupational Therapy Practice, State Board of (§ 10-201 of the
33 Health Occupations Article: July 1, 2003);
- 34 (46) Optometry, State Board of Examiners in (§ 11-201 of the Health
35 Occupations Article: July 1, 2002);

- 1 (47) Pharmacy, State Board of (§ 12-201 of the Health Occupations
2 Article: July 1, 2002);
- 3 (48) Physical Therapy Examiners, State Board of (§ 13-201 of the Health
4 Occupations Article: July 1, 2011);
- 5 (49) Physician Assistant Advisory Committee (§ 15-201 of the Health
6 Occupations Article: July 1, 2003);
- 7 (50) Physician Quality Assurance, State Board of (§ 14-201 of the Health
8 Occupations Article: July 1, 2002);
- 9 (51) Pilots, State Board of (§ 11-201 of the Business Occupations and
10 Professions Article: July 1, 2002);
- 11 (52) Plumbing, State Board of (§ 12-201 of the Business Occupations and
12 Professions Article: July 1, 2002);
- 13 (53) Podiatric Medical Examiners, State Board of (§ 16-201 of the Health
14 Occupations Article: July 1, 2011);
- 15 (54) Prevailing Wage Rates, Advisory Council on (§ 17-203 of the State
16 Finance and Procurement Article: July 1, 2003);
- 17 (55) Psychologists, State Board of Examiners of (§ 18-201 of the Health
18 Occupations Article: July 1, 2002);
- 19 (56) Public Accountancy, State Board of (§ 2-201 of the Business
20 Occupations and Professions Article: July 1, 2003);
- 21 (57) Racing Commission, State (§ 11-201 of the Business Regulation
22 Article: July 1, 2010);
- 23 (58) Real Estate Appraisers, State Commission of (§ 16-201 of the
24 Business Occupations and Professions Article: July 1, 2002);
- 25 (59) Real Estate Commission, State (§ 17-201 of the Business
26 Occupations and Professions Article: July 1, 2001);
- 27 (60) Real Estate Hearing Board (§ 17-325 of the Business Occupations
28 and Professions Article: July 1, 2001);
- 29 (61) Respiratory Care Professional Standards Committee, State (§
30 14-5A-05 of the Health Occupations Article: July 1, 2005);
- 31 (62) Security Systems Technicians, Licensing and Regulation of (§ 18-201
32 of the Business Occupations and Professions Article: July 1, 2003);
- 33 (63) Social Work Examiners, State Board of (§ 19-201 of the Health
34 Occupations Article: July 1, 2003);

1 (64) Standardbred Race Fund Advisory Committee, Maryland (§ 11-625 of
2 the Business Regulation Article: July 1, 2010);

3 (65) Tobacco Authority (§ 7-201 of the Agriculture Article: July 1, 2005);

4 (66) Veterinary Medical Examiners, State Board of (§ 2-302 of the
5 Agriculture Article: July 1, 2010);

6 (67) Waterworks and Waste Systems Operators, State Board of (§ 12-201
7 of the Environment Article: July 1, 2010); and

8 (68) Well Drillers, State Board of (§ 13-201 of the Environment Article:
9 July 1, 2010).

10 DRAFTER'S NOTE:

11 Error: Omitted item in § 8-403(b)(19) and erroneous numbering in §
12 8-403(b)(20) through (68), inclusive, of the State Government Article;
13 misplaced word in § 8-403(b)(20) of the State Government Article.

14 Occurred: Ch. 590, Acts of 2000. Correction by the publisher of the
15 Annotated Code in the 2000 Supplement of the State Government Article
16 is validated by this Act.

17 9-111.

18 (d) In accordance with the regulations of the Agency and this subtitle, the
19 Director may:

20 (2) authorize the Agency to sell lottery tickets for a temporary period at
21 any promotional or special event being held in the State if:

22 (i) in the Director's determination, no licensed agent is available to
23 conduct the sale; and

24 (ii) the person holding the promotional or special event has
25 authorized the Agency to sell lottery tickets at the event.

26 DRAFTER'S NOTE:

27 Error: Incorrect punctuation in § 9-111(d)(2) of the State Government
28 Article.

29 Occurred: Ch. 44, Acts of 2000. Correction by the publisher of the
30 Annotated Code in the 2000 Supplement of the State Government Article
31 is validated by this Act.

32 9-1210.

33 The State Prosecutor shall submit an annual report to the Governor, to the
34 Attorney General, and, subject to § 2-1246 of [the State Government Article] THIS

1 ARTICLE, to the General Assembly on the activities of Office of the State Prosecutor
2 that are not confidential.

3 DRAFTER'S NOTE:

4 Error: Stylistic error in § 9-1210 of the State Government Article.

5 Occurred: Ch. 31, Acts of 1997.

6 9-2204.

7 (c) (3) The management committee shall be composed of:

8 (iv) the Executive Director of the Maryland [Science, Engineering,
9 and] Technology Development Corporation; and

10 DRAFTER'S NOTE:

11 Error: Misnomer in § 9-2204(c)(3)(iv) of the State Government Article.

12 Occurred: As a result of Ch. 13, Acts of 2000.

13 12-101.

14 (a) In this subtitle, unless the context clearly requires otherwise, "State
15 personnel" means:

16 (2) an employee or official of the:

17 (vii) Maryland Technology Development Corporation;

18 DRAFTER'S NOTE:

19 Error: Incorrect punctuation in § 12-101(a)(2)(vii) of the State Government
20 Article.

21 Occurred: Ch. 13, Acts of 2000. Correction by the publisher of the
22 Annotated Code in the 2000 Supplement of the State Government Article
23 is validated by this Act.

24 13-304.

25 The striped bass or rockfish ([Roccus] Morne saxatilis) is the State fish.

26 DRAFTER'S NOTE:

27 Error: Obsolete reference in § 13-304 of the State Government Article.

28 Occurred: As a result, according to the Maryland Manual, of the correction
29 of the genus designation by scientists in the late 1960's. The rockfish was
30 named the official fish of the State by Chapter 513, Acts of 1965.

1 15-601.

2 (c) (1) An individual who is a public official only as a member of a board or
3 who is a member of the Board of Trustees of the Maryland Health Care Foundation
4 established under [§ 2-501] § 20-501 of the Health - General Article and who receives
5 annual compensation that is less than 25% of the lowest annual compensation at
6 State grade level 16 shall file the statement required by subsection (a) of this section
7 in accordance with § 15-609 of this subtitle.

8 DRAFTER'S NOTE:

9 Error: Erroneous cross-reference in § 15-601(c)(1) of the State
10 Government Article.

11 Occurred: Ch. 110, Acts of 1998.

12 **Article - State Personnel and Pensions**

13 8-301.

14 (b) This subtitle does not apply to a law enforcement employee of the
15 [Investigative Services Unit] FIELD ENFORCEMENT DIVISION of the State
16 Comptroller's Office.

17 DRAFTER'S NOTE:

18 Error: Misnomer in § 8-301(b) of the State Personnel and Pensions Article.

19 Occurred: As a result of administratively changed Division name.
20 Requested by Assistant Attorney General Gerald Langbaum, Counsel to
21 the Comptroller.

22 9-1203.

23 (c) (1) For the purpose of determining eligibility for the program, the
24 following use of leave does not qualify as sick leave usage:

25 (ii) sick leave that is donated to another employee in accordance
26 with the provisions of the [Employee-to-Employee] EMPLOYEE TO EMPLOYEE Leave
27 Donation Program;

28 DRAFTER'S NOTE:

29 Error: Extraneous hyphens in § 9-1203(c)(1)(ii) of the State Personnel and
30 Pensions Article.

31 Occurred: Chapter 179, Acts of 2000.

1 23-214.

2 (b) An individual who is hired by a third party contractor may withdraw the
3 member's accumulated contributions, within the meaning of § 20-101(b) of this
4 article, at any time while the individual is employed by the third party contractor to
5 work in a school that is reconstituted by order of the Maryland State Board of
6 Education.

7 DRAFTER'S NOTE:

8 Error: Omitted word in § 23-214(b) of the State Personnel and Pensions
9 Article.

10 Occurred: Chapter 688, Acts of 2000. Correction by the publisher of the
11 Annotated Code in the 2000 Supplement of the State Personnel and
12 Pensions Article is validated by this Act.

13 26-201.

14 (a) Except as provided in subsection (b) of this section, this subtitle applies
15 only to:

16 (2) a law enforcement officer employed by the [Maryland Investigative
17 Services Unit] FIELD ENFORCEMENT DIVISION;

18 DRAFTER'S NOTE:

19 Error: Misnomer in § 26-201(a)(2) of the State Personnel and Pensions
20 Article.

21 Occurred: As a result of administratively changed Division name.
22 Requested by Assistant Attorney General Gerald Langbaum, Counsel to
23 the Comptroller.

24 26-202.

25 (b) (1) Subject to paragraph (2) of this subsection, membership in the Law
26 Enforcement Officers' Pension System is optional for an individual described in §
27 26-201 of this subtitle:

28 (ii) who was employed by the [Maryland Investigative Services
29 Unit] FIELD ENFORCEMENT DIVISION on June 30, 1995 and who elects membership
30 on or before December 31, 1997;

31 DRAFTER'S NOTE:

32 Error: Misnomer in § 26-202(b)(1)(ii) of the State Personnel and Pensions
33 Article.

34 Occurred: As a result of administratively changed Division name.
35 Requested by Assistant Attorney General Gerald Langbaum, Counsel to

1 the Comptroller.

2 26-302.

3 (a) Subject to subsections (b) and (c) of this section, a member is entitled to
4 eligibility service for periods of employment while a member of the Law Enforcement
5 Officers' Pension System.

6 DRAFTER'S NOTE:

7 Error: Grammatical error in § 26-302(a) of the State Personnel and
8 Pensions Article.

9 Occurred: Chapter 395, Acts of 2000. Correction by the publisher of the
10 Annotated Code in the 2000 Supplement of the State Personnel and
11 Pensions Article is validated by this Act.

12 37-203.1.

13 (b) (1) Subject to paragraph (2) of this subsection, an individual may
14 transfer service credit from a noncontributory system to the State Contributory
15 Employees' Pension System or the State Contributory Teachers' Pension System if,
16 within 1 year after becoming a member of the Pension System, the individual
17 completes a claim for the service credit and files it with the Board of Trustees for the
18 State Retirement and Pension System on a form that the Board of [Trustee]
19 TRUSTEES provides.

20 DRAFTER'S NOTE:

21 Error: Incorrect word usage in § 37-203.1(b)(1) of the State Personnel and
22 Pensions Article.

23 Occurred: Chapter 362, Acts of 2000.

24 38-104.

25 (b) (2) Paragraph (1) of this subsection does not apply to:

26 (i) credit for military service provided under:

27 3. Title 3 or Title 10, [Chapter 67, §§ 1331 through 1337]
28 CHAPTER 1223, §§ 12731 THROUGH 12737 of the United States Code; or

29 DRAFTER'S NOTE:

30 Error: Erroneous reference in § 38-104(b)(2)(i)3 of the State Personnel and
31 Pensions Article.

32 Occurred: As a result of changes in federal law enacted by Public Law
33 103-337 (1994).

Article - Tax - General

2 2-107.

3 (a) Authorized employees of the [Investigative Services Unit] FIELD
4 ENFORCEMENT DIVISION of the Comptroller's Office:

5 (1) shall be individuals who are sworn police officers; and

6 (2) have all the powers, duties, and responsibilities of a peace officer for
7 the purpose of enforcing the laws pertaining to:

8 (i) alcoholic beverage tax;

9 (ii) tobacco tax;

10 (iii) motor fuel tax;

11 (iv) motor carrier tax;

12 (v) motor fuel and lubricants; and

13 (vi) transient vendors within the meaning of Subtitle 20A of Title 17
14 of the Business Regulation Article.

15 (b) (1) The Department of State Police shall help the [Investigative Services
16 Unit] FIELD ENFORCEMENT DIVISION in enforcing the motor carrier tax, motor fuel
17 tax and motor fuel and lubricants laws.

18 (2) The Comptroller shall pay the salaries and expenses of all
19 Department of State Police staff assigned to the [Investigative Services Unit] FIELD
20 ENFORCEMENT DIVISION.

21 (c) (1) (i) Except for the Sheriff, constables and bailiffs of Baltimore
22 County, each law enforcement officer shall enforce the alcoholic beverage tax and
23 tobacco tax laws [; and].

24 (ii) [a] A State's Attorney or other prosecutor may prosecute
25 alleged violations of the alcoholic beverage tax or tobacco tax laws.

26 (2) The [Investigative Services Unit] FIELD ENFORCEMENT DIVISION:

27 (i) shall advise a State's Attorney and law enforcement officers
28 about enforcement problems; and

29 (ii) otherwise may work cooperatively with law enforcement officers
30 and prosecutors to carry out the duties of the unit.

31 (3) This subsection does not restrict the appropriation of money by a
32 political subdivision of the State to aid in the enforcement of the alcoholic beverage
33 tax and tobacco tax laws.

1 (d) (1) Each unit of the State government shall cooperate with the
2 Comptroller's Office by making available, on request, any information in the unit's
3 possession as may be of assistance in the administration and enforcement of the
4 motor carrier tax, motor fuel tax, and motor fuel and lubricants laws.

5 (2) The [Investigative Services Unit] FIELD ENFORCEMENT DIVISION
6 shall cooperate with and help the federal government, other states, and local
7 governments and law enforcement personnel of those jurisdictions to enforce the
8 motor carrier tax, motor fuel tax, and motor fuel and lubricants laws.

9 DRAFTER'S NOTE:

10 Error: Misnomers in § 2-107(a), (b)(1) and (2), (c)(2), and (d)(2) of the Tax
11 - General Article; stylistic error in § 2-107(c)(1) of the Tax - General
12 Article.

13 Occurred: Misnomers occurred as a result of administratively changed
14 Division name. Correction of misnomers requested by Assistant Attorney
15 General Gerald Langbaum, Counsel to the Comptroller. Stylistic error
16 occurred in Ch. 2, Acts of 1988.

17 2-1302.1.

18 (b) On receipt of the Motor Vehicle Administration's certification under [§
19 13-815(f)] § 13-815(G) of the Transportation Article, from the remaining sales and use
20 tax revenue the Comptroller shall distribute to the Transportation Trust Fund an
21 amount equal to the total amount of credits allowed against the motor vehicle excise
22 tax under § 13-815 of the Transportation Article for the preceding fiscal year.

23 DRAFTER'S NOTE:

24 Error: Erroneous cross-reference in § 2-1302.1(b) of the Tax - General
25 Article.

26 Occurred: Chs. 295 and 296, Acts of 2000.

27 10-207.

28 (s) (2) Except as provided in paragraph (3) of this subsection, the
29 subtraction under subsection (a) of this section includes any amount included in
30 federal adjusted gross income as a result of a distribution to:

31 (i) a qualified beneficiary pursuant to a prepaid contract under the
32 Maryland Prepaid College Trust; or

33 (ii) a qualified designated beneficiary from an investment account
34 under the Maryland College Investment Plan.

1 DRAFTER'S NOTE:

2 Error: Incorrect punctuation in § 10-207(s)(2) of the Tax - General Article.
3 Occurred: Ch. 494, Acts of 2000. Correction by the publisher of the
4 Annotated Code in the 2000 Supplement of the Tax - General Article is
5 validated by this Act.

6 10-209.

7 (a) In this section:

8 (2) "employee retirement system" does not include:

9 (i) an individual retirement account or annuity under § 408 of the
10 Internal Revenue Code;11 (ii) a Roth individual retirement account under [§ 408(a)] 408A of
12 the Internal Revenue Code;

13 (iii) a rollover individual retirement account;

14 (iv) a simplified employee pension under Internal Revenue Code §
15 408(k); or16 (v) an ineligible deferred compensation plan under § 457(f) of the
17 Internal Revenue Code.

18 DRAFTER'S NOTE:

19 Error: Erroneous reference to Internal Revenue Code in § 10-209(a)(2)(ii)
20 of the Tax - General Article.

21 Occurred: Ch. 524, Acts of 2000.

22 11-206.

23 (g) (1) In this subsection, "snack food" means:

24 (i) potato chips and sticks;

25 (ii) [cornchips] CORN CHIPS;

26 (iii) pretzels;

27 (iv) cheese puffs and curls;

28 (v) pork rinds;

29 (vi) extruded pretzels and chips;

- 1 (vii) popped popcorn;
- 2 (viii) nuts and edible seeds; or
- 3 (ix) snack mixtures that contain any one or more of the foods listed
- 4 in items (i) through (viii) of this paragraph.

5 DRAFTER'S NOTE:

6 Error: Misspelling in § 11-206(g)(1)(ii) of the Tax - General Article.

7 Occurred: Chs. 85 and 86, Acts of 1996.

8 **Article - Tax - Property**

9 9-229.

10 (a) (3) "Qualified brownfields site" has the meaning stated in Article 83A, §

11 5-1401(o) of the Code.

12 DRAFTER'S NOTE:

13 Error: Erroneous cross-reference in § 9-229(a)(3) of the Tax - Property

14 Article.

15 Occurred: Ch. 305, Acts of 2000. Correction by the publisher of the

16 Annotated Code in the 2000 Supplement of the Tax - Property Article is

17 validated by this Act.

18 (d) (1) A taxing jurisdiction may grant a property tax credit against the

19 property tax imposed on a qualified brownfields site in addition to the credit granted

20 under subsection (c) of this section.

21 DRAFTER'S NOTE:

22 Error: Incorrect word usage in § 9-229(d)(1) of the Tax - Property Article.

23 Occurred: Ch. 305, Acts of 2000. Correction by the publisher of the

24 Annotated Code in the 2000 Supplement of the Tax - Property Article is

25 validated by this Act.

26 9-318.

27 (c) The governing body of Prince George's County may grant, by law, a

28 property tax credit under this section against the county property tax or special

29 district tax imposed on:

30 (7) real property that is:

31 (i) owned by the Prince George's County Parks and Recreation

32 Foundation; and

1 (ii) [is] not used for a commercial purpose;

2 DRAFTER'S NOTE:

3 Error: Extraneous word in § 9-318(c)(7)(ii) of the Tax - Property Article.

4 Occurred: Ch. 532, Acts of 1986.

5 9-325.

6 (a) (1) The governing body of Worcester County may grant, by law, a
7 property tax credit under this section against the county property tax imposed on:

8 [(1)] (I) property that is:

9 [(i)] 1. owned by the Berlin Community Improvement
10 Association, Incorporated, of Worcester County; and

11 [(ii)] 2. used only for the nonprofit activities of the organization;

12 [(2)] (II) property that is:

13 [(i)] 1. owned by the Marlin Park Association, Incorporated; and

14 [(ii)] 2. used for nonprofit purposes;

15 [(3)] (III) property that is owned or leased by the Greater Ocean City
16 Health Service Corporation;

17 [(4)] (IV) real property:

18 [(i)] 1. owned by the Mayor and City Council of Ocean City;

19 [(ii)] 2. leased to the Sinepuxent Pier and Improvement Company,
20 Incorporated; and

21 [(iii)] 3. known as the Ocean City Amusement and Fishing Pier;
22 and

23 [(5)] (V) property that is owned by the Ocean City, Maryland Chamber of
24 Commerce.

25 (2) THE GOVERNING BODY OF WORCESTER COUNTY MAY PROVIDE, BY
26 LAW, FOR:

27 (I) THE AMOUNT AND DURATION OF A PROPERTY TAX CREDIT
28 UNDER THIS SECTION; AND

29 (II) ANY OTHER PROVISION NECESSARY TO CARRY OUT THIS
30 SECTION.

1 (b) (1) The governing body of Worcester County or the governing body of a
2 municipal corporation in Worcester County may grant, by law, a property tax credit
3 against the county or municipal corporation property tax imposed on property that is
4 owned by the Pocumoke City Chamber of Commerce.

5 (2) The governing body of Worcester County or of a municipal
6 corporation in Worcester County may provide, by law, for:

7 (i) the amount and duration of a property tax credit under this
8 subsection; and

9 (ii) any other provision necessary to carry out this subsection.

10 [(c) The governing body of Worcester County may provide, by law, for:

11 (1) the amount and duration of a property tax credit under this section;
12 and

13 (2) any other provision necessary to carry out this section.]

14 DRAFTER'S NOTE:

15 Error: Incorrect tabulation and numbering error in § 9-325 of the Tax -
16 Property Article.

17 Occurred: Chs. 345 and 346, Acts of 2000.

18 12-108.

19 (a) (2) The Mayor and City Council of Baltimore City or the governing body
20 of a county may impose, by law, the recordation tax uniformly on all instruments of
21 writing that secure repayment of debt created by the sale of bonds authorized under
22 [Title 14, Subtitle 1 of] Article 41, TITLE 14, SUBTITLE 1 OF THE CODE.

23 DRAFTER'S NOTE:

24 Error: Stylistic error in § 12-108(a)(2) of the Tax - Property Article.

25 Occurred: As a result of Ch. 11, § 2, Acts of 1987, which ratified changes in
26 internal cross-references made by the publisher.

27 13-207.

28 (a) An instrument of writing is not subject to transfer tax to the same extent
29 that it is not subject to recordation tax under:

30 (17) § 12-108(x) of this article (Cooperative housing corporations); [or]

31 DRAFTER'S NOTE:

32 Error: Extraneous conjunction in § 13-207(a)(17) of the Tax - Property

1 Article.

2 Occurred: Ch. 427, Acts of 1999.

3 14-902.

4 (a) (2) "Qualified brownfields site" has the meaning stated in Article 83A, §
5 5-1401(o) of the Code.

6 DRAFTER'S NOTE:

7 Error: Erroneous cross-reference in § 14-902(a)(2) of the Tax - Property
8 Article.

9 Occurred: As a result of Ch. 305, Acts of 2000. Correction by the publisher
10 of the Annotated Code in the 2000 Supplement of the Tax - Property
11 Article is validated by this Act.

12 **Article - Transportation**

13 2-103.

14 (f) (2) This subsection does not apply to:

15 (ii) The powers or duties that are vested by law in:

16 5. The Maryland Port Commission and Maryland Port
17 Administration[, except as set forth in § 6-201.2(b)(4) of this article].

18 (g) (2) This subsection does not apply to:

19 (ii) The powers or duties that do not require by law the approval or
20 action of the Secretary and are vested by law in:

21 5. The Maryland Port Commission and Maryland Port
22 Administration[, except as set forth in § 6-201.2(b)(4) of this article].

23 DRAFTER'S NOTE:

24 Error: Obsolete cross-reference in § 2-103(f)(2)(ii)5 and (g)(2)(ii)5 of the
25 Transportation Article.

26 Occurred: As a result of Ch. 168, Acts of 1992.

27 2-103.1.

28 (k) In the report required under subsection [(h)] (G) of this section, the
29 Department shall:

30 (1) Use narrative, graphs, charts, tables, and maps as appropriate to
31 make the results easily understood by the public;

1 (2) Include projected long-term trends for each of the indicators and the
2 effect of planned transportation investments on the trends;

3 (3) To the extent practicable, account for the effect of planned
4 transportation investments on inducing automobile travel;

5 (4) To the extent practicable, account for automobile trips not taken due
6 to demand management measures, including teleworking, teleshopping, and land use
7 patterns supporting alternatives to driving; and

8 (5) Indicate the cost effectiveness of investments for achieving relevant
9 performance goals and benchmarks, including a specific analysis of planned
10 transportation investments detailing:

11 (i) Any projected decreases or increases in indicators of traffic
12 congestion as defined by the Department; and

13 (ii) The cost per passenger mile and other indicators of cost
14 effectiveness as defined by the Department.

15 DRAFTER'S NOTE:

16 Error: Erroneous internal reference in § 2-103.1(k) of the Transportation
17 Article.

18 Occurred: Ch. 303, Acts of 2000.

19 2-603.

20 (c) (2) Subject to the authority of the Secretary, the Director is responsible
21 for carrying out:

22 (i) The powers and duties vested by law in the [Office] DIRECTOR;
23 and

24 (ii) Those powers and duties vested in the Secretary and delegated
25 to the Director by the Secretary.

26 DRAFTER'S NOTE:

27 Error: Misnomer in § 2-603(c)(2)(i) of the Transportation Article.

28 Occurred: Ch. 670, Acts of 2000.

29 2-605.

30 Subject to the limitations imposed by this subtitle, the Department, in
31 consultation with the Director, may exercise all powers reasonably necessary to
32 achieve the purposes of this subtitle, including the authority to:

33 (1) Adopt regulations to implement the provisions of this subtitle;

1 (2) Apply for and receive grants, gifts, payments, loans, advances,
2 appropriations, property, and services from the federal government, the State, any of
3 their agencies or political subdivisions, or any other public or private person; and

4 (3) Enter into agreements and contract for:

5 (i) Any studies, plans, demonstrations, or projects;

6 (ii) Planning, engineering, and technical services; and

7 (iii) Any purpose necessary for or incidental to the performance of
8 its duties and the exercise of its powers under this subtitle.

9 DRAFTER'S NOTE:

10 Error: Extraneous word and erroneous tabulation in § 2-605 of the
11 Transportation Article.

12 Occurred: Ch. 670, Acts of 2000. Correction by the publisher of the
13 Annotated Code in the 2000 Supplement of the Transportation Article is
14 validated by this Act.

15 3-216.

16 (c) (2) (i) The Gasoline and Motor Vehicle Revenue Account, Driver
17 Education Account, and the Motorcycle Safety Program Account shall be maintained
18 in the Transportation Trust Fund.

19 DRAFTER'S NOTE:

20 Error: Omitted word in § 3-216(c)(2)(i) of the Transportation Article.

21 Occurred: Ch. 670, Acts of 2000. Correction by the publisher of the
22 Annotated Code in the 2000 Supplement of the Transportation Article is
23 validated by this Act.

24 8-309.

25 (e) (2) In the case of an abandoned or completed project, the person from
26 whom the land was acquired, or the successor in interest of that person, shall have
27 the first right of refusal to reacquire the land, except that the offer and acceptance
28 shall be as follows:

29 (iii) Within 90 days from the date of notifying the Administration of
30 its intent to reacquire the land, the person from whom the land was acquired, or the
31 successor in interest of that person, must tender payment of an amount equal to the
32 lesser of:

33 1. The appraised value of the land; or

1 as amended by Ch. 448, Acts of 2000.

2 Occurred: Ch. 448, Acts of 2000.

3 **Chapter 599 of the Acts of 1998, as amended by Chapter 448 of the Acts of**
4 **2000**

5 SECTION 2. AND BE IT FURTHER ENACTED, That:

6 (b) In carrying out the study, the Department of Legislative Services shall
7 receive information from, and consult with, the Department of Human Resources, the
8 Department of Labor, Licensing, and Regulation, the Department of Assessments and
9 Taxation, the Comptroller, and appropriate representatives of private employers, and
10 shall review the data submitted under Article 88A, [§ 54(j)] § 54(I) of the Code.

11 DRAFTER'S NOTE:

12 Error: Obsolete cross-reference in Section 2(b) of Ch. 599, Acts of 1998,
13 as amended by Ch. 448, Acts of 2000.

14 Occurred: Ch. 448, Acts of 2000.

15 **Chapter 17 of the Acts of 2000**

16 SECTION 7. AND BE IT FURTHER ENACTED, That, in addition to the
17 requirements of [§ 13-1005(e)(3)] § 13-1005(E)(2)(II) of the Health - General Article,
18 which requires that the Department use at least \$750,000 of the money that is
19 allocated to the Statewide Public Health Component of the Tobacco Use Prevention
20 and Cessation Program in fiscal year 2001 to provide outreach and start-up technical
21 assistance to African American communities in the State for the purpose of organizing
22 participation in community health coalitions that are formed under § 13-1108(b), §
23 13-1109(c), or § 13-1115(b) of the Health - General Article, an additional \$750,000 is
24 included in Supplemental Budget No. 2 of the fiscal year 2001 State budget for this
25 same purpose.

26 DRAFTER'S NOTE:

27 Error: Incorrect cross-reference in Section 7 of Ch. 17, Acts of 2000.

28 Occurred: Ch. 17, Acts of 2000.

29 **Chapter 18 of the Acts of 2000**

30 SECTION 7. AND BE IT FURTHER ENACTED, That, in addition to the
31 requirements of [§ 13-1005(e)(3)] § 13-1005(E)(2)(II) of the Health - General Article,
32 which requires that the Department use at least \$750,000 of the money that is
33 allocated to the Statewide Public Health Component of the Tobacco Use Prevention
34 and Cessation Program in fiscal year 2001 to provide outreach and start-up technical
35 assistance to African American communities in the State for the purpose of organizing
36 participation in community health coalitions that are formed under § 13-1108(b), §

1 13-1109(c), or § 13-1115(b) of the Health - General Article, an additional \$750,000 is
2 included in Supplemental Budget No. 2 of the fiscal year 2001 State budget for this
3 same purpose.

4 DRAFTER'S NOTE:

5 Error: Incorrect cross-reference in Section 7 of Ch. 18, Acts of 2000.

6 Occurred: Ch. 18, Acts of 2000.

7 **Chapter 80 of the Acts of 2000**

8 SECTION 5. AND BE IT FURTHER ENACTED, That, for the taxable year
9 beginning July 1, 2000, each county shall include the following statement on or with
10 each real property tax bill:

11 "Important Notice to Taxpayers

12 In order to make real property tax bills simpler and easier to understand, the
13 General Assembly, under Chapter 80 of the Acts of 2000, has required that property
14 tax rates on real property be based on a full cash value assessment. As a result, on
15 October 1, 2000, your real property tax rates will be reduced to 40% of the rate
16 effective July 1, 2000. As an example of how this will work for the taxable year
17 beginning July 1, 2000, your county real property tax rate of \$_____ per \$100 of
18 assessment will be \$_____per \$100 of assessment on October 1, 2000. Your property
19 taxes owed will remain the same unless changed by some other State or local
20 legislative action."

21 SECTION 6. AND BE IT FURTHER ENACTED, That, for the taxable year
22 beginning July 1, 2001:

23 (1) If a county or municipal corporation gives notice or advertisement
24 under § 6-308(e) of the Tax - Property Article, the notice or advertisement shall be in
25 the following form:

26 _____(NAME OF JURISDICTION) NOTICE
27 OF A PROPOSED
28 REAL PROPERTY TAX INCREASE

29 Important Notice to Taxpayers

30 In order to make real property tax bills simpler and easier to understand, the
31 General Assembly, under Chapter 80 of the Acts of 2000, has required that property
32 tax rates on real property be based on a full cash value assessment. As a result, on
33 October 1, 2000, real property tax rates were reduced to 40% of the rate effective July
34 1, 2000. The county real property tax rate of \$_____per \$100 of assessment on July 1,
35 2000 was reduced to \$_____ per \$100 of assessment on October 1, 2000. The change in
36 method of assessment had no effect on actual tax liability for the taxable year
37 beginning July 1, 2000.

1 Notice of Constant Yield Tax Rate

2 The _____(name of taxing authority) of _____(name of jurisdiction) proposes to
3 increase real property taxes.

4 1. For the tax year beginning July 1, 2001, the estimated real property
5 assessable base will increase by _____%, from \$_____ as of October 1, 2000 to \$_____ as of
6 July 1, 2001.

7 2. If _____(name of jurisdiction) maintains the current real property tax rate,
8 effective October 1, 2000, of \$_____per \$100 of assessment, real property tax revenues
9 will increase by _____% resulting in \$_____ of new real property tax revenues.

10 3. In order to fully offset the effect of increasing assessments, the real
11 property tax rate should be reduced to \$_____, the constant yield tax rate.

12 4. The _____(county, city, town, etc.) is considering not reducing its real
13 property tax rate enough to fully offset increasing assessments. The _____(county, city,
14 town, etc.) proposes to adopt a real property tax rate of \$_____ per \$100 of assessment.
15 This tax rate is _____% higher than the constant yield tax rate and will generate \$_____
16 in additional real property tax revenues.

17 A public hearing on the proposed real property tax rate increase will be held at
18 _____(time) on _____(date) at _____(location).

19 The hearing is open to the public, and public testimony is encouraged.

20 Persons with questions regarding this hearing may call _____(phone number) for
21 further information."; and

22 (2) A county shall mail with the real property tax bill the information
23 described below in substantially the following form:

24 "Important Notice to Taxpayers

25 In order to make real property tax bills simpler and easier to understand, the
26 General Assembly, under Chapter 80 of the Acts of 2000, has required that property
27 tax rates on real property be based on a full cash value assessment. As a result, on
28 October 1, 2000, your real property tax rates were reduced to 40% of the rate effective
29 July 1, 2000. Your county property tax rate of \$_____ per \$100 of assessment on July 1,
30 2000 was reduced to \$_____ per \$100 of assessment on October 1, 2000. The change in
31 method of assessment had no effect on your actual tax liability for the taxable year
32 beginning July 1, 2000.

33 Constant Yield Tax Rate

34 1. In the last taxable year the county (or Baltimore City) real property tax
35 rate as of October 1, 2000 was _____, and the certified assessment of the net assessable
36 real property as of October 1, 2000 was \$_____. The assessment multiplied by the rate
37 produced real property tax revenues of \$_____.

1

Chapter 516 of the Acts of 2000

2 SECTION 3. AND BE IT FURTHER ENACTED, That the Department of
3 BUSINESS AND Economic [and Employment] Development and the Comptroller shall
4 jointly assess the cost of the research and development tax credit program established
5 under this Act and the program's success in increasing the level of investment in
6 research and development activities and attracting and retaining businesses that
7 engage in research and development in Maryland. Subject to § 2-1246 of the State
8 Government Article, a consolidated report of the findings of the Department and the
9 Comptroller and any other information of value to the General Assembly in
10 determining the effectiveness of the research and development tax credit program
11 shall be submitted to the General Assembly on or before December 15, 2005.

12 DRAFTER'S NOTE:

13 Error: Misnomer in Section 3 of Ch. 516, Acts of 2000.

14 Occurred: Ch. 516, Acts of 2000.

15

Chapter 618 of the Acts of 2000

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
17 MARYLAND, That:

18 (b) The Commission shall consist of 23 members as follows:

19 (4) [the Secretary of Education, or the Secretary's designee;] A MEMBER
20 OF THE STATE BOARD OF EDUCATION;

21 DRAFTER'S NOTE:

22 Error: Erroneous language in Section 1(b)(4) of Ch. 618, Acts of 2000.

23 Occurred: Ch. 618, Acts of 2000.

24

Chapter 648 of the Acts of 2000

25 SECTION 2. AND BE IT FURTHER ENACTED, That the Economic Growth,
26 Resource Protection, and Planning Commission and the State Office of Planning, in
27 consultation with county planning departments, shall report to the House
28 Environmental Matters, House Appropriations, Senate Economic and Environmental
29 Affairs, and Senate Budget and Taxation Committees, and the Governor on or before
30 December 15,[2000,] 2001, on the following:

31 (1) Types of locally adopted transferable development rights programs,
32 including characteristics of sending and receiving areas, and county planning
33 department assessments of the potential effect of authorizing Rural Legacy Board
34 purchases and resales of transferable development rights;

35 DRAFTER'S NOTE:

1 Error: Incorrect date in the introductory language of Section 2 of Ch. 648,
2 Acts of 2000.

3 Occurred: Ch. 648, Acts of 2000.

4 **Chapter 671 of the Acts of 2000**

5 SECTION 4. AND BE IT FURTHER ENACTED, That the Secretaries of
6 Human Resources and Health and Mental Hygiene shall ensure appropriate
7 treatment is available on demand for those individuals affected by the provisions of
8 Article 88A, [§ 65] § 65A of the Code. On or before August 1, 2000, the Secretaries
9 shall report to the General Assembly, in accordance with § 2-1246 of the State
10 Government Article, on their implementation plan to ensure appropriate treatment
11 for those individuals affected by the provisions provided for in Article 88A, [§ 65] §
12 65A of the Code.

13 DRAFTER'S NOTE:

14 Error: Incorrect cross-references in Section 4 of Ch. 671, Acts of 2000.

15 Occurred: Ch. 671, Acts of 2000.

16 **Article 7 - Carroll County**

17 2-101.

18 (d) The net proceeds from any sale under subsection [(c)] (B) of this section,
19 after the payment of any necessary expenses relating to the custody and sale of the
20 property, shall be paid over to the Board of County Commissioners and by the
21 commissioners credited to a special fund for the maintenance and improvement of the
22 Bar Library in the Courthouse. Monies in this fund from time to time shall be
23 expended by the County Commissioners only for these purposes and upon the order of
24 a judge or judges of the Circuit Court.

25 DRAFTER'S NOTE:

26 Error: Erroneous internal reference in § 2-101(d) of the Public Local Laws
27 of Carroll County as described in the Attorney General's bill review letter
28 dated April 17, 2000.

29 Occurred: Ch. 601, Acts of 2000.

30 3-802.

31 (d) The immunities or defenses available to an individual County officer or
32 employee for the [person's] OFFICER'S OR EMPLOYEE'S actions shall remain
33 unaffected by the provisions of this section.

34 DRAFTER'S NOTE:

1 Error: Stylistic error in § 3-802(d) of the Public Local Laws of Carroll
2 County as described in the Attorney General's bill review letter dated April
3 17, 2000.

4 Occurred: Ch. 601, Acts of 2000.

5 8-402.

6 The approved diagram shall be transmitted to the Assessor and recorded in a
7 book kept for that purpose. After recordation, the diagram may be [thereafter]
8 referred to in connection with the levy of assessments pursuant to this title.

9 DRAFTER'S NOTE:

10 Error: Extraneous word in § 8-402 of the Public Local Laws of Carroll
11 County as described in the Attorney General's bill review letter dated April
12 17, 2000.

13 Occurred: Ch. 601, Acts of 2000.

14 SECTION 2. AND BE IT FURTHER ENACTED, That the publisher of the
15 Annotated Code of Maryland, subject to the approval of the Department of Legislative
16 Services, shall make any changes in the text of the Annotated Code necessary to
17 effectuate any termination provision that was enacted by the General Assembly and
18 has taken effect or will take effect prior to October 1, 2001. Any enactment of the 2001
19 Session of the General Assembly that negates or extends the effect of a previously
20 enacted termination provision shall prevail over the provisions of this section.

21 SECTION 3. AND BE IT FURTHER ENACTED, That the Drafter's Notes
22 contained in this Act are not law and may not be considered to have been enacted as
23 part of this Act.

24 SECTION 4. AND BE IT FURTHER ENACTED, That the provisions of this
25 Act are intended solely to correct technical errors in the law and that there is no
26 intent to revive or otherwise affect law that is the subject of other acts, whether those
27 acts were signed by the Governor prior to or after the signing of this Act.

28 SECTION 5. AND BE IT FURTHER ENACTED, That any reference in the
29 Annotated Code of Maryland rendered obsolete by an Act of the General Assembly of
30 2001 shall be corrected by the publisher of the Annotated Code, in consultation with
31 and subject to the approval of the Department of Legislative Services, with no further
32 action required by the General Assembly. The publisher shall adequately describe any
33 such correction in an editor's note following the section affected.

34 SECTION 6. AND BE IT FURTHER ENACTED, That the publisher of the
35 Annotated Code of Maryland, in consultation with and subject to the approval of the
36 Department of Legislative Services, at the time of publication of a replacement
37 volume of the Annotated Code, shall make nonsubstantive corrections to style,
38 capitalization, punctuation, grammar, spelling, and any reference rendered obsolete

1 by an Act of the General Assembly, with no further action required by the General
2 Assembly.

3 SECTION 7. AND BE IT FURTHER ENACTED, That the changes made to §
4 11-803(b) of the Business Regulation Article, § 9-525(d) of the Commercial Law
5 Article, § 8-106 of the Courts and Judicial Proceedings Article, § 15-301.1(c)(1)(vi) of
6 the Health - General Article, and § 15-1208(c) and (d) of the Insurance Article, as
7 enacted by Section 1 of this Act, shall take effect July 1, 2001.

8 SECTION 8. AND BE IT FURTHER ENACTED, That, except as provided in
9 Section 7 of this Act, this Act is an emergency measure, is necessary for the immediate
10 preservation of the public health and safety, has been passed by a yea and nay vote
11 supported by three-fifths of all the members elected to each of the two Houses of the
12 General Assembly, and shall take effect from the date it is enacted.