

Chapter 8

(Senate Bill 580)

AN ACT concerning

Annual Corrective Bill

FOR the purpose of correcting certain errors or omissions in certain articles of the Annotated Code and in certain uncodified laws; clarifying language; correcting certain obsolete references; reorganizing certain sections of the Annotated Code; ratifying certain corrections made by the publishers of the Annotated Code; providing that this Act is not intended to affect any law other than to correct technical errors; providing for the correction of certain errors and obsolete provisions by the publishers of the Annotated Code; providing for the effect and construction of certain provisions of this Act; and making this Act an emergency measure.

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 5–101(a), 12–905(g)(1), 21–1304.1(g), 21–1304.2(j), 22–909(b)(2)(iii)3., and 25–1401(c)(2)

Annotated Code of Maryland

(2016 Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,

Article – Business Occupations and Professions

Section 2–403(c)(1) and (d)(1), 2–4A–01(b)(2), 6–316(c), 10–101(f)(1)(iii) and (h)(2)(iii), 12–101(h), 15–316(c), 17–403(a)(2), 17–534(a), 17–536(b) through (e), and 17–613(a)(16)

Annotated Code of Maryland

(2018 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Business Regulation

Section 2–103.1(a)(2) and 15–207(b)(1)

Annotated Code of Maryland

(2015 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,

Article – Corporations and Associations

Section 1–101(f)(2)(ii)

Annotated Code of Maryland

(2014 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 3–8A–19.1(b)(1)(iv), 3–1503(a)(1)(iv), 4–202, 4–301(b)(7), (15), and (21), and

5–106(t)

Annotated Code of Maryland
(2013 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 5–404(f)(2) and 5–622(b)(3) and (4)
Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 1–203.1(d)(2)(ii)2. and 3., 2–105(g), 11–117(2), 11–607(a)(1)(ii),
11–811(b)(3), and 16–201(3)
Annotated Code of Maryland
(2018 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 5–511(a)
Annotated Code of Maryland
(2018 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Education
Section 2–104(d)(1), 3–901(e)(2)(ii) and (iii) and (7), 3–1002(d)(1), 4–126(e)(3)(iii),
4–302, 5–102(b)(1), 5–202(a)(4) and (14)(iii), (d)(1)(iii) and (8)(i)4., and (l)(3),
5–216(a)(6)(ii), 6–117.1(a)(3) and (e)(1), 6–306(b)(5)(i)1.C., 6–701(c),
7–203.2(c)(1)(ii)4. and (2)(ii)4., 7–303(a)(6)(iv), 7–505(a)(1), 7–702,
7–1503(c)(4), 7–1512(d)(2), 8–417(b)(1), 9.5–505(b), 10–205(d), 11–105(c)(5)
and (6), 11–601(d)(1) and (4)(v), 12–104.1(d)(1), 12–107(a)(3), 13–303(l),
13–304(c)(6), 15–106.6(c)(2)(iv), 16–314.1(b) and (c)(1), 16–610(c)(2),
18–803(e)(1), 18–1916(b)(1)(iv), 18–2601(g), 18–2806(2), 18–3402(a),
18–3506(b)(1), 23–102(b)(2)(ii), 23–604(b), and 24–1003(d)(4)
Annotated Code of Maryland
(2018 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 5–102(c)(5)
Annotated Code of Maryland
(2018 Replacement Volume and 2018 Supplement)
(As enacted by Chapter 5 of the Acts of the General Assembly of 1986)

BY repealing
Article – Education

Section 5–202(a)(3)
Annotated Code of Maryland
(2018 Replacement Volume and 2018 Supplement)

BY adding to
Article – Education
Section 5–202(a)(4)
Annotated Code of Maryland
(2018 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Election Law
Section 13–306(a)(5)(i), 13–307(a)(6)(i), and 13–505(c)
Annotated Code of Maryland
(2017 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 6–819(c)(2)(i)
Annotated Code of Maryland
(2013 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–1605.2(i)(9)(i) and (j)(6)(viii) and 9–1605.3(f)(2)(ii)
Annotated Code of Maryland
(2014 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 4–501(b)(1)(iv)
Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Financial Institutions
Section 2–104.1(a)(6)(ii), (e)(3), and (f)(1)(iii)2. and 11–201(e)
Annotated Code of Maryland
(2011 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 10–622(a)(2), 13–3804(c), 13–3805(a) and (c), 19–705.1(b)(1)(v), and
24–1503(b)(2)
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations
Section 1–901(c) and 7–101(d)
Annotated Code of Maryland
(2014 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,

Article – Housing and Community Development
Section 8–109(c)(1)
Annotated Code of Maryland
(2006 Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,

Article – Human Services
Section 10–401(p)(2)(i)
Annotated Code of Maryland
(2007 Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance
Section 6–122, 15–124(a), 15–142(a)(4), 15–1202(c), and 19–807(d)(1)
Annotated Code of Maryland
(2017 Replacement Volume and 2018 Supplement)

BY repealing

Article – Insurance
Section 15–1202(b)
Annotated Code of Maryland
(2017 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance
Section 20–612(e)(1) and (g)
Annotated Code of Maryland
(2017 Replacement Volume and 2018 Supplement)
(As enacted by Chapters 195 and 196 of the Acts of the General Assembly of 2018)

BY repealing and reenacting, with amendments,

Article – Labor and Employment
Section 3–413(b)(1)(ii) and (2)(i)2.
Annotated Code of Maryland
(2016 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 3-103(e)(1), 3-122(b)(2)(vii), 3-210(1)(i) and (3), 3-305(a), 3-604(6), 3-909(c), 4-217(e)(1), 4-513, 4-701(d)(2)(ii) and (j)(2)(iii), 4-714(e)(1)(v), 4-745(c)(3), 4-901(a)(1), 4-1033(a), 5-214(b), 5-9A-02(i), 5-1203(mm), 5-1208(2), 5-1504(a), and 5-1601(aa)(3)

Annotated Code of Maryland
(2018 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 2-311(f)(3), 3-312(b)(1)(iv), and 3-506(b)(1); the subtitle designation “Subtitle 8. Safe Streets Initiatives” immediately preceding Section 4-801; and 4-1102(b)(2), 5-601(e)(2)(vii), 12-812(b)(2), and 13-502(a)(1)

Annotated Code of Maryland
(2018 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Public Safety

The subtitle designation “Subtitle 2. Maryland Police Training and Standards Commission” immediately preceding Section 3-201

Annotated Code of Maryland
(2018 Replacement Volume)

(As enacted by Chapter 519 of the Acts of the General Assembly of 2016)

BY repealing and reenacting, without amendments,

Article – Public Safety

Section 3-201(a) and (b) and 4-801(a)

Annotated Code of Maryland
(2018 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Public Utilities

Section 6-207(6)(ii), 7-207(a), and 7-208(a)

Annotated Code of Maryland
(2010 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,

Article – Real Property

Section 3-114(d)(1)

Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 4-809(f)(6), 5-814(b)(1), (2), and (3), 5A-303(c)(3)(i)3.A., 8-112(e), 13-103(e)(4), 13-110(b)(3)(i)2., 13-112(g)(2), 13-224(d), 14-302(a)(15), and 17-702(a)(2)(i)

Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–112(d)(5) and (6), 9–1A–26(c)(2)(i), 10–1503(h), and 20–301(4)(ii)
Annotated Code of Maryland
(2014 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 21–308(d)(1)(i) and (2)(i) and (ii)
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

BY repealing
Article – Tax – General
Section 10–204(i)
Annotated Code of Maryland
(2016 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–205(k)
Annotated Code of Maryland
(2016 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 9–304(b)(1) and (e)(3)
Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 4–101(h)(1) and 4–407(b)
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 13–919(g), 16–205.1(b)(2)(v) and (vi), 16–402(a)(3), (16), and (24),
21–104(b)(1)(i), 21–301(b), 21–704(a)(1), 21–801.1(b) and (e),
21–803(a)(1)(ii) and (iv), 21–805(a)(2), (b), and (d), 21–902(a)(1)(iv) and
(d)(1)(iii), 21–1205.1(a)(1)(i) and (2) and (d), 21–1415(c), 22–224.1(b)(1),
22–225, 22–302(a)(2) and (3), and 24–102(c)(2)(ii)

Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–809(b)(1)(viii) and (ix)
Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)
(As enacted by Chapter 806 of the Acts of the General Assembly of 2018)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–809(b)(6)(i) and (k)(1)
Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)
(As enacted by Chapters 490 and 491 of the Acts of the General Assembly of 2014)

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

Article – Alcoholic Beverages

5–101.

(a) In this [section] **SUBTITLE** the following words have the meanings indicated.

DRAFTER’S NOTE:

Error: Erroneous internal reference in § 5–101(a) of the Alcoholic Beverages Article.

Occurred: Ch. 41, § 2, Acts of 2016.

12–905.

(g) (1) The Board may reissue a Class B–D–7 beer, wine, and liquor license as a [7–day] **CLASS A–2** beer, wine, and liquor (package goods) license if the licensed premises is:

(i) within the 41st legislative district; and

(ii) equipped with high–definition cameras that provide continuous, 24–hour monitoring inside and outside the licensed premises.

DRAFTER’S NOTE:

Error: Incorrect license reference in § 12–905(g)(1) of the Alcoholic Beverages Article.

Occurred: Ch. 231, Acts of 2018.

21–1304.1.

(g) A license holder may purchase beer and wine from a holder of a retail or [wholesale] **WHOLESALE**'S license.

DRAFTER'S NOTE:

Error: Misnomer in § 21–1304.1(g) of the Alcoholic Beverages Article.

Occurred: Ch. 169, § 2, Acts of 2018.

21–1304.2.

(j) A holder of a retail license or State [wholesale] **WHOLESALE**'S license may enter into an agreement with the holder of the festival license to:

(1) deliver beer and wine not earlier than 2 days before the effective date of the license; and

(2) accept returns not later than 5 days after the expiration date of the license.

DRAFTER'S NOTE:

Error: Misnomer in § 21–1304.2 of the Alcoholic Beverages Article.

Occurred: Ch. 169, § 2, Acts of 2018.

22–909.

(b) The Board may issue the 6–day license or the 7–day license for use by:

(2) a social organization that:

(iii) has at least 51% of its membership consisting of:

3. active or retired policemen; and

4. the spouses and children of the eligible members under items 1 through 3 of this item;

DRAFTER'S NOTE:

Error: Omitted semicolon and item number in § 22–909(b)(2)(iii)3 of the Alcoholic Beverages Article.

Occurred: Ch. 137, Acts of 2018.

25–1401.

(c) The following sections of Title 4, Subtitle 1 (“Applications for Local Licenses”) of Division I of this article apply in the county:

(2) § 4–109 (“Required information on application — In general”), subject to [§ 25–1408 of this subtitle and § 22–1409 of this article] **§§ 25–1408 AND 25–1409 OF THIS SUBTITLE.**

DRAFTER’S NOTE:

Error: Erroneous cross–reference in § 25–1401(c)(2) of the Alcoholic Beverages Article.

Occurred: Ch. 41, § 2, Acts of 2016.

Article – Business Occupations and Professions

2–403.

(c) The corporation shall:

(1) have at least a simple majority of the officers, shareholders, members, or managers, in terms of financial interest and voting rights, be licensed in a state; [and]

(d) An individual who is not licensed to practice certified public accountancy in this State or another state may have an ownership interest in the corporation if:

(1) a simple majority of the ownership of the corporation, in terms of financial interests and voting rights, is held by individuals licensed to practice certified public accountancy in this or another state; [and]

DRAFTER’S NOTE:

Error: Extraneous conjunction in § 2–403(c)(1) and (d)(1) of the Business Occupations and Professions Article.

Occurred: Ch. 536, Acts of 2008.

2–4A–01.

(b) “Engagement review” means a peer review that evaluates whether there is a reasonable basis for expressing limited assurance that:

(2) reports and internal documentation of the work performed by the individual or firm [conforms] **CONFORM** with professional standards.

DRAFTER’S NOTE:

Error: Grammatical error in § 2–4A–01(b)(2) of the Business Occupations and Professions Article.

Occurred: Ch. 88, Acts of 2005.

6–316.

(c) The Board shall consider the following facts in the granting, denial, renewal, suspension, or revocation of a **STATE** license or the reprimand of a **STATE** licensee when an applicant or **STATE** licensee is convicted of a felony or misdemeanor described in subsection (a)(6) of this section:

(1) the nature of the crime;

(2) the relationship of the crime to the activities authorized by the **STATE** license;

(3) with respect to a felony, the relevance of the conviction to the fitness and qualification of the applicant or **STATE** licensee to provide electrical services;

(4) the length of time since the conviction; and

(5) the behavior and activities of the applicant or **STATE** licensee before and after the conviction.

DRAFTER’S NOTE:

Error: Omitted word in § 6–316(c) of the Business Occupations and Professions Article.

Occurred: Ch. 342, Acts of 1998.

10–101.

(f) (1) “Court” means, unless the context requires otherwise:

(iii) a circuit court; [and] **OR**

(h) (2) “Practice law” includes:

(iii) preparing or helping in the preparation of any form or document that is filed in a court or affects a case that is or may be filed in a court; [or] **AND**

DRAFTER’S NOTE:

Error: Erroneous conjunctions in § 10–101(f)(1)(iii) and (h)(2)(iii) of the Business Occupations and Professions Article.

Occurred: Ch. 3, Acts of 1989.

12–101.

(h) “Journeyman natural gas fitter” means, unless the context requires otherwise, an individual who is licensed by the Board to provide natural gas services while under the direction and control of a master natural gas [fitters license] **FITTER**.

DRAFTER’S NOTE:

Error: Incorrect word usage in § 12–101(h) of the Business Occupations and Professions Article.

Occurred: Ch. 555, Acts of 2000.

15–316.

(c) The Board may reactivate the license of **THE HOLDER OF** a retired status license if that individual:

(1) submits to the Board an application for reactivation on the form approved by the Board;

(2) meets all continuing competency requirements, not exceeding 48 credit hours, that would have been required for renewal of a license under § 15–314 of this subtitle if the licensee had not been placed on retired status;

(3) pays to the Board a reactivation fee as set by the Board; and

(4) is not the subject of a pending disciplinary action related to the practice of land surveying or property line surveying in this or any other state.

DRAFTER’S NOTE:

Error: Omitted words in § 15–316(c) of the Business Occupations and Professions

Article.

Occurred: Ch. 384, Acts of 2003.

17-403.

(a) (2) Regardless of how many times an individual applies to the Commission for a license under this title, the Commission [only] may charge the individual **ONLY** once for the fee required under this subsection.

DRAFTER'S NOTE:

Error: Grammatical error in § 17-403(a)(2) of the Business Occupations and Professions Article.

Occurred: Ch. 3, Acts of 1989.

17-534.

(a) [Except as provided in § 17-533 of this subtitle, a] **A** brokerage relationship commences at the time that a client enters into a brokerage agreement and shall continue until:

(1) the completion of performance in accordance with the brokerage agreement; or

(2) the earlier of:

(i) any date of expiration as agreed on by the parties in the brokerage agreement or in any amendments to the brokerage agreement;

(ii) any mutually agreed on termination of the brokerage relationship;

(iii) a default by any party under the terms of the brokerage agreement; or

(iv) a termination under § 17-530 of this subtitle.

DRAFTER'S NOTE:

Error: Obsolete cross-reference in § 17-534(a) of the Business Occupations and Professions Article.

Occurred: As a result of Ch. 311, Acts of 2016.

17-536.

(b) **(1)** “Commercial real estate” means:

[(1)] (I) real property improved by five or more single-family units;

[(2)] (II) improved and unimproved real property zoned for commercial, industrial, or nonresidential use by the local zoning authority of the county or municipality in which the property is located; **[and] OR**

[(3)] (III) unimproved real property zoned for improvement as multifamily units by the local zoning authority of the county or municipality in which the property is located.

[(c)] (2) “Commercial real estate” does not include:

[(1)] (I) property zoned for agricultural use; **[or] AND**

[(2)] (II) single-family units, including a condominium or co-op unit, for sale or for lease, or otherwise conveyed or to be conveyed on a single basis.

[(d)] (C) “Nonresident real estate broker” means an individual, partnership, joint venture, limited liability company, limited liability partnership, or corporation that is not licensed under Subtitle 3 of this title but is licensed to provide real estate brokerage services in a jurisdiction other than this State.

[(e)] (D) “Nonresident real estate salesperson” means an individual who is not licensed under Subtitle 3 of this title but is licensed to provide real estate brokerage services and is affiliated with a nonresident real estate broker.

DRAFTER’S NOTE:

Error: Tabulation errors and erroneous conjunctions in § 17-536(b) through (e) of the Business Occupations and Professions Article.

Occurred: Ch. 368, Acts of 2003.

17-613.

(a) Subject to the provisions of subsection (d) of this section, a person who violates any provision of the following sections of this title is guilty of a misdemeanor and on conviction for a first offense is subject to a fine not exceeding \$5,000 or imprisonment not exceeding 1 year or both:

(16) § 17-610; **[and] OR**

DRAFTER'S NOTE:

Error: Erroneous conjunction in § 17–613(a)(16) of the Business Occupations and Professions Article.

Occurred: Ch. 3, Acts of 1989.

Article – Business Regulation

2–103.1.

(a) (2) “Executive Director” means an individual appointed by the Governor who directs the activities of the Office of Small Business Regulatory Assistance and serves as a liaison [between] **AMONG** businesses, economic development organizations, communities, and federal, State, and local units and agencies.

DRAFTER'S NOTE:

Error: Incorrect word usage in § 2–103.1(a)(2) of the Business Regulation Article.

Occurred: Ch. 5, § 2, Acts of 2018.

15–207.

(b) (1) A State, county, or municipal law enforcement agency may issue a civil citation to a lodging establishment requiring it to post prominently in each guest room for 1 year the sign that is identical to the notice required to be placed on the Web site of the Department under subsection (a) of this section, if the lodging establishment is located on property where arrests leading to convictions of prostitution, solicitation of a minor, or human trafficking under Title 11, [Subtitle 13] **SUBTITLE 3** of the Criminal Law Article have occurred.

DRAFTER'S NOTE:

Error: Erroneous cross–reference in § 15–207(b)(1) of the Business Regulation Article.

Occurred: Chs. 576 and 577, Acts of 2010.

Article – Corporations and Associations

1–101.

(f) (2) “Charter” includes the documents referred to in paragraph (1) of this subsection, either as:

(ii) [As amended] **AMENDED**, corrected, or supplemented by special act of the General Assembly, articles of amendment, articles of amendment and reduction, articles of extension, articles supplementary, articles or agreements of merger, articles of revival, or a certificate of correction.

DRAFTER'S NOTE:

Error: Duplicate word in § 1–101(f)(2)(ii) of the Corporations and Associations Article.

Occurred: Ch. 311, § 2, Acts of 1975.

Article – Courts and Judicial Proceedings

3–8A–19.1.

(b) (1) Except as provided in paragraph (2) of this subsection, after an inquiry conducted in accordance with § 3–8A–10 of this subtitle, an intake officer may file with the court a peace order request that alleges the commission of any of the following acts against a victim by the respondent, if the act occurred within 30 days before the filing of the complaint under § 3–8A–10 of this subtitle:

(iv) Rape or sexual offense under [§§ 3–303 through 3–308] **§ 3–303, § 3–304, § 3–307, OR § 3–308** of the Criminal Law Article or attempted rape or sexual offense in any degree;

DRAFTER'S NOTE:

Error: Obsolete cross–reference in § 3–8A–19.1(b)(1)(iv) of the Courts and Judicial Proceedings Article.

Occurred: As a result of Chs. 161 and 162, Acts of 2017, which repealed sexual offense and attempted sexual offense in the first degree and sexual offense and attempted sexual offense in the second degree and re–categorized the offenses as elements of rape and attempted rape in the first degree and rape and attempted rape in the second degree, respectively.

3–1503.

(a) (1) A petitioner may seek relief under this subtitle by filing with the court, or with a commissioner under the circumstances specified in § 3–1503.1(a) of this subtitle, a petition that alleges the commission of any of the following acts against the petitioner by the respondent, if the act occurred within 30 days before the filing of the petition:

(iv) Rape or sexual offense under [§§ 3–303 through 3–308] **§ 3–303, § 3–304, § 3–307, OR § 3–308** of the Criminal Law Article or attempted rape or sexual offense in any degree;

DRAFTER’S NOTE:

Error: Obsolete cross–reference and stylistic error in § 3–1503(a)(1)(iv) of the Courts and Judicial Proceedings Article.

Occurred: As a result of Chs. 161 and 162, Acts of 2017, which repealed sexual offense and attempted sexual offense in the first degree and sexual offense and attempted sexual offense in the second degree and re–categorized the offenses as elements of rape and attempted rape in the first degree and rape and attempted rape in the second degree, respectively.

4–202.

(A) A DISTRICT COURT HAS THE AUTHORITY PROVIDED UNDER TITLE 3 OF THE CRIMINAL PROCEDURE ARTICLE.

(B) A District Court has the following authority provided in the Health – General Article:

(1) Under Title 8 of that article, the authority to commit an individual for detoxification or for observation, evaluation, or treatment of alcoholism;

(2) Under Title 8 of that article, the authority to commit an individual for observation, evaluation, or treatment of drug abuse; **AND**

(3) Under Title 10 of that article, the authority to order emergency evaluation of an individual for a mental disorder[; and

(4) Under Title 12 of that article, authority as to the competency or sanity of a criminal defendant].

DRAFTER’S NOTE:

Error: Obsolete cross–reference in § 4–202 of the Courts and Judicial Proceedings Article.

Occurred: As a result of Ch. 10, § 2, Acts of 2001, which repealed “Title 12. Incompetency and Criminal Responsibility in Criminal Cases” of the Health – General Article and enacted the new title “Title 3. Incompetency and Criminal Responsibility in Criminal Cases” of the Criminal Procedure Article.

4–301.

(b) Except as provided in § 4–302 of this subtitle, the District Court also has exclusive original jurisdiction in a criminal case in which a person at least 18 years old or a corporation is charged with:

(7) Violation of [§§ 8–203 through 8–209] **§ 8–203, § 8–204, § 8–205, § 8–206, § 8–207, § 8–208, OR § 8–209** of the Criminal Law Article, whether a felony or misdemeanor;

(15) Violation of [§§ 10–604 through 10–608] **§ 10–604, § 10–605, § 10–606, § 10–607, § 10–607.1, OR § 10–608** of the Criminal Law Article, whether a felony or misdemeanor;

(21) Violation of [§§ 16–801 through 16–804] **§ 16–801, § 16–802, § 16–803, OR § 16–804** of the Election Law Article;

DRAFTER’S NOTE:

Error: Stylistic error in § 4–301(b)(7), (15), and (21) of the Courts and Judicial Proceedings Article.

Occurred: Ch. 213, § 6, Acts of 2002; Ch. 549, Acts of 2004.

5–106.

(t) A prosecution for an offense under § 5–140, § 5–141, or [§ 5–143] **§ 5–144** of the Public Safety Article, relating to straw sales of regulated firearms to prohibited persons or minors and to illegal sales, rentals, transfers, possession, or receipt of regulated firearms, shall be instituted within 3 years after the offense was committed.

DRAFTER’S NOTE:

Error: Obsolete cross–reference in § 5–106(t) of the Courts and Judicial Proceedings Article.

Occurred: As a result of Ch. 427, Acts of 2013, which added a new § 5–143 to the Public Safety Article and repealed and reenacted the previous § 5–143 without substantive amendment as § 5–144.

Article – Criminal Law

5–404.

(f) Substances listed in Schedule III include:

(2) ketamine, its salts, isomers, and salts of isomers; **AND**

DRAFTER’S NOTE:

Error: Omitted conjunction in § 5–404(f)(2) of the Criminal Law Article.

Occurred: Ch. 212, Acts of 2018.

5–622.

(b) A person may not possess, own, carry, or transport a firearm if that person has been convicted of:

(3) conspiracy to commit a crime referred to in [paragraphs] **ITEMS** (1) and (2) of this subsection; or

(4) an attempt to commit a crime referred to in [paragraphs] **ITEMS** (1) and (2) of this subsection.

DRAFTER’S NOTE:

Error: Stylistic error in § 5–622(b)(3) and (4) of the Criminal Law Article.

Occurred: Ch. 26, § 2, Acts of 2002.

Article – Criminal Procedure

1–203.1.

(d) (2) The notice shall:

(ii) inform the user or owner:

2. if applicable, **OF** the identifying number associated with the electronic device;

3. **OF** the dates for which the location information was supplied;

DRAFTER’S NOTE:

Error: Omitted word in § 1–203.1(d)(2)(ii)2 and 3 of the Criminal Procedure Article.

Occurred: Ch. 191, Acts of 2014.

2–105.

(g) (1) The police officers and other officers, agents, and employees coming from one county or municipal corporation to another within the State under a reciprocal agreement under this [section,] **SECTION** may enforce the laws of the State to the same extent as authorized law enforcement officers of the receiving county or municipal corporation.

(2) The police officers and other officers, agents, and employees coming into the State under a reciprocal agreement under this [section,] **SECTION** may enforce the laws of the State to the same extent as authorized law enforcement officers of a county or municipal corporation in the State.

DRAFTER'S NOTE:

Error: Extraneous commas in § 2–105(g) of the Criminal Procedure Article.

Occurred: Ch. 10, § 2, Acts of 2001; Ch. 203, Acts of 2005.

11–117.

The Maryland Department of Health shall adopt regulations to carry out Part II of this subtitle, including regulations on:

(2) giving the victim or victim's representative counseling regarding HIV [disease] or hepatitis C, HIV or hepatitis C testing, and referral for appropriate health care and support services.

DRAFTER'S NOTE:

Error: Extraneous word in § 11–117(2) of the Criminal Procedure Article.

Occurred: Ch. 10, § 2, Acts of 2001.

11–607.

(a) (1) When a judgment of restitution has been entered under § 11–603 of this subtitle, compliance with the judgment of restitution:

(ii) if work release is ordered or allowed, shall be a condition of work release; **AND**

DRAFTER'S NOTE:

Error: Omitted conjunction in § 11–607(a)(1)(ii) of the Criminal Procedure Article.

Occurred: Ch. 10, § 2, Acts of 2001.

11–811.

(b) Compensation awarded under this subtitle may not exceed:

(3) \$5,000 for each claimant for psychiatric, psychological, or mental health counseling under subsection [(a)(4)] **(A)(5)** of this section;

DRAFTER’S NOTE:

Error: Erroneous internal reference in § 11–811(b)(3) of the Criminal Procedure Article.

Occurred: Ch. 16, Acts of 2003.

16–201.

It is the policy of the State to:

(3) authorize the Office of the Public Defender to administer and [assure] **ENSURE** enforcement of this title.

DRAFTER’S NOTE:

Error: Incorrect word usage in § 16–201(3) of the Criminal Procedure Article.

Occurred: Ch. 15, § 2, Acts of 2008.

Article – Economic Development

5–511.

(a) [“Authority”] **IN THIS SECTION, “AUTHORITY** staff” means any of the individuals who are employed by the Department to operate the programs of the Authority immediately prior to the execution by the Department of a contract under this section with the private corporation organized by any of those individuals.

DRAFTER’S NOTE:

Error: Omitted language in § 5–511(a) of the Economic Development Article.

Occurred: Ch. 306, § 2, Acts of 2008.

Article – Education

2–104.

(d) (1) In addition to the other duties specified in this section, each professional assistant to the Department has the duties assigned to [him] **THE PROFESSIONAL ASSISTANT** by the State Superintendent.

DRAFTER'S NOTE:

Error: Stylistic error in § 2–104(d)(1) of the Education Article.

Occurred: Ch. 22, § 2, Acts of 1978.

3–901.

(e) (2) The nomination and election process shall be as agreed on by the county board and the Montgomery County region of the Maryland Association of Student Councils. This agreement shall include a process by which to replace one or both of the final candidates if they are unable to proceed in the election. Any student enrolled in a middle or high school in the Montgomery County public schools may:

(ii) Vote for delegates from the student's school, who in turn vote in a nominating convention to reduce to 2 the number of candidates for student [board] member if there are 3 or more candidates; and

(iii) Vote directly for 1 of the 2 remaining student [board] member candidates.

(7) On a majority vote of the elected members, the **COUNTY** board may determine, on a case by case basis, whether a matter under consideration is covered by the exclusionary provision in paragraph (6) of this subsection.

DRAFTER'S NOTE:

Error: Extraneous word in § 3–901(e)(2)(ii) and (iii) of the Education Article and omitted word in § 3–901(e)(7) of the Education Article.

Occurred: Ch. 22, § 2, Acts of 1978; Ch. 231, Acts of 1984; and Ch. 266, Acts of 1989.

3–1002.

(d) The elected members of the county board shall be elected:

(1) At the general election every 4 years as required by subsection [(g)] **(H)** of this section; and

DRAFTER'S NOTE:

Error: Erroneous internal reference in § 3–1002(d)(1) of the Education Article.

Occurred: As a result of Ch. 147, Acts of 2013.

4–126.

(e) (3) Projects that use alternative financing methods under this section and receive State funding shall comply with the following requirements:

(iii) The approval of project funding by the Interagency Commission
ON SCHOOL CONSTRUCTION;

DRAFTER'S NOTE:

Error: Omitted words in § 4–126(e)(3)(iii) of the Education Article.

Occurred: Ch. 14, Acts of 2018.

4–302.

Subject to the applicable provisions of this article [and the master plan adopted by the board under § 4–309 of this subtitle], the Mayor and City Council of Baltimore City shall establish and maintain a system of free public schools in Baltimore City.

DRAFTER'S NOTE:

Error: Obsolete cross–reference in § 4–302 of the Education Article.

Occurred: As a result of Chs. 163 and 164, Acts of 2016.

5–102.

(b) (1) Each county board shall submit an annual school budget in writing to the county commissioners, county council, or [the] county executive.

DRAFTER'S NOTE:

Error: Extraneous article in § 5–102(b)(1) of the Education Article.

Occurred: Ch. 22, § 2, Acts of 1978.

(c) (5) This [item] **PARAGRAPH** applies to Baltimore County and supersedes [item] **PARAGRAPH** (4) of this subsection only if the voters of Baltimore County approve an amendment to the Baltimore County Charter that grants the County Council the authority to restore any denial or reduction made by the County Executive in the budget submitted by the county board. The Baltimore County Council may restore any denial or

reduction made by the County Executive if it publicly states the amount the restoration represents in the county tax rate.

DRAFTER'S NOTE:

Error: Stylistic errors in § 5–102(c)(5) of the Education Article.

Occurred: Ch. 5, Acts of 1986. Correction by the publisher of the Annotated Code in the 2018 Replacement Volume of the Education Article is ratified by this Act.

5–202.

(a) [(3) “Assessed valuation of real property” means the most recent estimate made by the State Department of Assessments and Taxation before the annual State budget is submitted to the General Assembly, of the assessed value of real property for State purposes as of July 1 of the first completed fiscal year before the school year for which the calculation of State aid is made under this section.]

[(4) (3) “Assessed value of personal property” means the most recent estimate by the State Department of Assessments and Taxation before the annual State budget is submitted to the General Assembly of the assessed value for county purposes of personal property as of July 1 of the first completed fiscal year before the school year for which the calculation is made under this section.

(4) “ASSESSED VALUE OF REAL PROPERTY” MEANS THE MOST RECENT ESTIMATE MADE BY THE STATE DEPARTMENT OF ASSESSMENTS AND TAXATION BEFORE THE ANNUAL STATE BUDGET IS SUBMITTED TO THE GENERAL ASSEMBLY OF THE ASSESSED VALUE OF REAL PROPERTY FOR STATE PURPOSES AS OF JULY 1 OF THE FIRST COMPLETED FISCAL YEAR BEFORE THE SCHOOL YEAR FOR WHICH THE CALCULATION OF STATE AID IS MADE UNDER THIS SECTION.

(14) “Wealth” means the sum of:

(iii) 40 percent of the assessed [valuation] VALUE of all other real property; and

(d) (1) (iii) The calculation of local wealth for the purposes of [paragraphs (1)] **THIS PARAGRAPH** and **PARAGRAPH (10)** of this subsection shall use the amount certified for net taxable income under subsection (k)(2)(ii) of this section based on tax returns filed on or before:

1. For fiscal years 2015 through 2017, September 1; and
2. For fiscal year 2018 and each fiscal year thereafter, November 1.

(8) (i) The maintenance of effort requirement in paragraph (1)(ii) of this subsection does not apply to a county if the county requests and is granted a waiver from the requirement by the State Board based on:

4. Subject to paragraph (11) of this subsection, a determination that lease payments **WERE** made by the county board to a county **REVENUE AUTHORITY** or private entity holding title to property used as a public school by a county board in accordance with § 4–114(c)(1) or (d) of this article.

(l) (3) For each fiscal year, using net taxable income based on tax returns filed on or before November 1, State aid shall be calculated as follows:

(i) Once using the assessed [valuation] **VALUE** of real property estimate under subsection (a) of this section; and

(ii) Again using the assessed [valuation] **VALUE** of real property estimate under subsection (a) of this section reduced by the sum of the tax increments calculated under paragraph (2) of this subsection.

DRAFTER’S NOTE:

Error: Inconsistent language in § 5–202(a)(3), (4), and (14)(iii) of the Education Article, stylistic error in § 5–202(d)(1)(iii) of the Education Article, omitted words in § 5–202(d)(8)(i)4 of the Education Article, and inconsistent language in § 5–202(l)(3) of the Education Article.

Occurred: Ch. 22, § 2, Acts of 1978; Ch. 531, Acts of 1980; Ch. 464, § 2, Acts of 2014; Ch. 14, Acts of 2018; Ch. 258, Acts of 2016.

5–216.

(a) (6) “Participating student” means a student:

(ii) [A student who] **WHO** performs below a certain score, as determined by the Department, on the assessment the Department uses to assess reading level.

DRAFTER’S NOTE:

Error: Extraneous language in § 5–216(a)(6)(ii) of the Education Article.

Occurred: Ch. 361, Acts of 2018.

6–117.1.

(a) (3) “**PILOT Program**” means the Teacher Induction, Retention, and Advancement Pilot Program.

(e) (1) (i) For fiscal year 2018, the Governor shall include in the annual budget bill an appropriation of \$2,100,000 to the **PILOT Program**.

(ii) For fiscal year 2019, the Governor shall include in the annual budget bill an appropriation of \$3,000,000 for the **PILOT Program**.

(iii) For fiscal year 2020 and each fiscal year thereafter, the Governor shall include in the annual budget bill an appropriation of \$5,000,000 for the **PILOT Program**.

DRAFTER’S NOTE:

Error: Omitted words in § 6–117.1(a)(3) and (e)(1) of the Education Article.

Occurred: Ch. 740, § 3, Acts of 2016; Ch. 23, Acts of 2017; Ch. 10, Acts of 2018.

6–306.

(b) (5) (i) 1. The State Board shall establish a program to support locally negotiated incentives, governed under Subtitles 4 and 5 of this title, for highly effective classroom teachers and principals to work in public schools that are:

C. In the highest 25% of schools in the State based on a ranking of the percentage of students who receive free and reduced [priced] **PRICE** meals.

DRAFTER’S NOTE:

Error: Grammatical error in § 6–306(b)(5)(i)1C of the Education Article.

Occurred: Ch. 189, Acts of 2010.

6–701.

(c) “Review [board]” **BOARD**” means the entity composed of, and appointed by, the Professional Standards and Teacher Education Board under § 6–707 of this subtitle.

DRAFTER’S NOTE:

Error: Capitalization error in § 6–701(c) of the Education Article.

Occurred: Ch. 662, Acts of 1991.

7–203.2.

(c) (1) Beginning on or before September 1, 2011, and each year thereafter, a county board shall:

(ii) Report the information required under item (i) of this paragraph to the public and the Department in the aggregate and disaggregated by:

4. Students who receive free and reduced [priced] **PRICE** meals; and

(2) Beginning on or before October 1, 2011, and each year thereafter, the Department shall:

(ii) Post the information obtained under this subsection for each county on its website in the aggregate and disaggregated by:

4. Students who receive free and reduced [priced] **PRICE** meals; and

DRAFTER'S NOTE:

Error: Grammatical errors in § 7–203.2(c)(1)(ii)4 and (2)(ii)4 of the Education Article.

Occurred: Ch. 51, Acts of 2011.

7–303.

(a) (6) “Reportable offense” means:

(iv) A violation of [§§ 5–602 through 5–609] **§ 5–602, § 5–603, § 5–604, § 5–605, § 5–606, § 5–607, § 5–608, § 5–608.1, § 5–609, [§§ 5–612 through 5–614] § 5–612, § 5–613, § 5–614, § 5–617, § 5–618, § 5–627, or § 5–628** of the Criminal Law Article;

DRAFTER'S NOTE:

Error: Stylistic error in § 7–303(a)(6)(iv) of the Education Article.

Occurred: Ch. 213, § 6, Acts of 2002.

7–505.

(a) The Department shall:

(1) As to each program receiving State funding:

- (i) Monitor its operations; and
- (ii) Evaluate annually its effectiveness[.]; AND

DRAFTER'S NOTE:

Error: Incorrect punctuation and omitted conjunction in § 7-505(a)(1)(ii) of the Education Article.

Occurred: Ch. 122, Acts of 1986.

7-702.

(A) The State Superintendent shall exempt any elementary school from the requirements of this subtitle if:

(1) (i) The school has made a breakfast program available for at least 3 consecutive months; and

(ii) The participation is less than 25 [percent] % of the number of students eligible for free and reduced price eligible meals in each month;

(2) (i) The county board approves an alternative nutrition program that the school has instituted;

(ii) The school regularly conducts an assessment of the alternative program that provides evidence of success in achieving program objectives; and

(iii) The school submits an annual report of the assessment to the county board and the State;

(3) (i) The school requests an exemption for reasons of a compelling nature to the county board; and

(ii) After review and approval, the county board submits the request for exemption to the State Superintendent; or

(4) [(i)] The school has less than 15 [percent] % of its enrollment approved for free and reduced price eligible meals.

[(ii)] **(B)** [This exemption] **THE EXEMPTION IN SUBSECTION (A)(4) OF THIS SECTION** shall continue from year to year without the need for reapplication, until there is a 10 [percent] % increase in the number of students approved for free and reduced price eligible meals.

DRAFTER'S NOTE:

Error: Tabulation and stylistic errors in § 7–702(1)(ii) and (4) of the Education Article.

Occurred: Ch. 488, Acts of 1990.

7–1503.

(c) The Subcabinet consists of the following members:

(4) The Secretary [of the Department] of Disabilities, or the Secretary’s designee;

DRAFTER’S NOTE:

Error: Extraneous language in § 7–1503(c)(4) of the Education Article.

Occurred: Ch. 372, Acts of 2013.

7–1512.

(d) (2) The Treasurer shall hold the Fund separately and the Comptroller shall account for the Fund in conjunction with the Executive Director **OF THE CENTER**.

DRAFTER’S NOTE:

Error: Obsolete language in § 7–1512(d)(2) of the Education Article.

Occurred: As a result of Ch. 30, § 3, Acts of 2018.

8–417.

(b) (1) The Department [of Education], as the fiscal agent of the Children’s Cabinet Fund under Title 8, Subtitle 5 of the Human Services Article, shall administer and implement a redesigned rate setting process for nonpublic general education schools, residential child care programs, and nonresidential child care programs.

DRAFTER’S NOTE:

Error: Extraneous language in § 8–417(b)(1) of the Education Article.

Occurred: Ch. 541, Acts of 1999.

9.5–505.

(b) This evidence may include documentation from the child’s continuing care

health care provider that the child was screened through an initial questionnaire and was determined not **TO** be at risk for lead poisoning.

DRAFTER'S NOTE:

Error: Omitted word in § 9.5–505(b) of the Education Article.

Occurred: Ch. 185, § 4, Acts of 2016.

10–205.

(d) In each region of the State, institutions of higher education should cooperate to **[assure] ENSURE** an effective and efficient education system.

DRAFTER'S NOTE:

Error: Incorrect word usage in § 10–205(d) of the Education Article.

Occurred: Ch. 246, § 2, Acts of 1988.

11–105.

(c) With respect to the community colleges, the Commission:

(5) Shall **[assure] ENSURE** that courses and programs offered are within the scope of the mission of the community colleges;

(6) Shall **[assure] ENSURE** that State funds for community colleges are spent prudently and in accordance with State guidelines;

DRAFTER'S NOTE:

Error: Incorrect word usage in § 11–105(c)(5) and (6) of the Education Article.

Occurred: Ch. 464, § 3, Acts of 1991.

11–601.

(d) (1) The governing body of each institution of higher education shall include in the sexual assault policy required under subsection (a) of this section provisions for disciplinary proceedings **[provisions]** for alleged violations of the sexual assault policy.

(4) The disciplinary proceedings provisions required under paragraph (1) of this subsection shall:

(v) **[Permit] AUTHORIZE** students to access counsel paid for by the

Commission, as described under paragraph (6) of this subsection, for:

1. A current or former student who makes a complaint on which a formal Title IX investigation is initiated and who was enrolled as a student at the institution at the time of the incident that is the basis of the complaint, unless the student knowingly and voluntarily chooses not to have counsel; and

2. A current or former student who responds to a complaint on which a formal Title IX investigation is initiated and who was enrolled as a student at the institution at the time of the incident that is the basis of the complaint, unless the student knowingly and voluntarily chooses not to have counsel.

DRAFTER'S NOTE:

Error: Extraneous language in § 11–601(d)(1) of the Education Article and incorrect word usage in § 11–601(d)(4)(v) of the Education Article.

Occurred: Chs. 394 and 395, Acts of 2018. Correction suggested by the Attorney General in the Bill Review Letter for S.B. 607 (Ch. 394) and H.B. 913 (Ch. 395) of 2018 (footnote 2), dated May 2, 2018.

12–104.1.

(d) (1) Notwithstanding any other provision of law, for any high impact economic **DEVELOPMENT** activity within the scope of § 5–310 or § 10–305 of the State Finance and Procurement Article, the Board of Regents shall be fully responsible for administering the review and comment process prescribed in those sections.

DRAFTER'S NOTE:

Error: Incorrect word usage in § 12–104.1(d)(1) of the Education Article.

Occurred: Ch. 450, Acts of 2012.

12–107.

(a) In consultation with the Maryland Higher Education Commission and the Chancellor, the Board shall undertake good faith efforts to:

(3) [Assure] **ENSURE** that women and minorities are equitably represented among the student body, faculty, staff, and administration of the University System, so that the University reflects the diversity of the State's population.

DRAFTER'S NOTE:

Error: Incorrect word usage in § 12–107(a)(3) of the Education Article.

Occurred: Ch. 246, § 2, Acts of 1988.

13–303.

(l) The Board of Directors shall [insure] **ENSURE** that the medical system shall continue to make available medical services to residents of various State institutions whose residents prior to the effective date of this legislation were served by the Hospital, including State residential centers for individuals with an intellectual disability, State mental hygiene facilities and facilities run by the State Division of Correction, as long as the administrators of those institutions continue to seek care from the Hospital for their residents in accordance with policies and legislative intent incorporated in the State budget. The Hospital is to be compensated by the institutions or other payors for this care in accordance with policies of the State Health Services Cost Review Commission or other relevant authority.

DRAFTER'S NOTE:

Error: Incorrect word usage in § 13–303(l) of the Education Article.

Occurred: Ch. 288, Acts of 1984.

13–304.

(c) (6) In appointing the voting members of the Board of Directors, the Governor shall [insure] **ENSURE** that the composition of the Board fairly represents the minority composition of the State.

DRAFTER'S NOTE:

Error: Incorrect word usage in § 13–304(c)(6) of the Education Article.

Occurred: Ch. 288, Acts of 1984.

15–106.6.

(c) (2) (iv) It is the goal of the State that any increase in resident undergraduate tuition and academic fees at public senior [institutions of] higher education **INSTITUTIONS** in any given year should be limited to a percent not to exceed the increase in the 3–year rolling average of the State's median family income.

DRAFTER'S NOTE:

Error: Incorrect word usage in § 15–106.6(c)(2)(iv) of the Education Article.

Occurred: Chs. 192 and 193, Acts of 2010.

16–314.1.

(b) The Board of Trustees of the Community College [for] OF Baltimore County may award a procurement contract on the basis of noncompetitive negotiation:

(1) For unsolicited offers that:

(i) Are in writing;

(ii) Are sufficiently detailed to allow a judgment regarding the potential utility of the offer;

(iii) Are unique or innovative;

(iv) Demonstrate the proprietary character of the offering warranting consideration of the use of competitive negotiation;

(v) May be subject to testing under terms and conditions specified by the Director of Purchasing; and

(vi) Cannot be procured through competitive methodologies;

(2) For the procurement of goods or services related to instruction or curriculum development;

(3) For the procurement of services related to private fund-raising activities; or

(4) Under other circumstances when the Director of Purchasing determines that noncompetitive negotiation is in the best interests of the College and the State.

(c) (1) The Board of Trustees of the Community College [for] OF Baltimore County shall establish standards and procedures for the application of subsection (b) of this section to a particular transaction.

DRAFTER'S NOTE:

Error: Misnomer in § 16–314.1(b) and (c)(1) of the Education Article.

Occurred: Ch. 378, Acts of 2002.

16–610.

(c) (2) The Board of Trustees of the College may approve transfers of

appropriations for direct or indirect costs in order to [insure] **ENSURE** the mission of the College.

DRAFTER'S NOTE:

Error: Incorrect word usage in § 16–610(c)(2) of the Education Article.

Occurred: Ch. 695, § 3, Acts of 1999.

18–803.

(e) (1) If the total amount of the grant to be issued under subsection (d) of this section is more than the amount appropriated in the annual State budget, [including the amount that is collected under the Board of Physicians Fund under § 14–207(d)(2) of the Health Occupations Article and transferred to this program,] the amount of an eligible institution's grant for that period shall be equal to the product of the amount required to pay grants under subsection (d) of this section multiplied by the ratio of the total amount appropriated to the eligible institution.

DRAFTER'S NOTE:

Error: Obsolete cross–reference in § 18–803(e)(1) of the Education Article.

Occurred: Ch. 178, Acts of 2016.

18–1916.

(b) (1) Within 120 days after the close of each fiscal year, the Board shall submit to the Governor and, subject to § 2–1246 of the State Government Article, to the General Assembly a report including:

(iv) Efforts by the Board in marketing the [Trust of] prepaid contracts **UNDER THE TRUST**; and

DRAFTER'S NOTE:

Error: Incorrect word usage in § 18–1916(b)(1)(iv) of the Education Article.

Occurred: Chs. 381 and 382, Acts of 2003.

18–2601.

(g) Funds for the Maryland Graduate and Professional Scholarship Program shall be as provided in the State budget [and as set forth in § 13–613 of the Transportation Article].

DRAFTER'S NOTE:

Error: Obsolete cross-reference § 18–2601(g) of the Education Article.

Occurred: As a result of Ch. 6, § 5, Acts of the Special Session of 2007, which repealed the provision requiring that part of the proceeds from certain fees collected under § 13–613 of the Transportation Article be paid into a special fund for the use of medical scholarship programs, among other things, and replaced it with a requirement that all proceeds collected be distributed to the Transportation Trust Fund.

18–2806.

The Office, in collaboration with the Department, shall adopt regulations to implement the provisions of this subtitle, including:

(2) Establishing the minimum and maximum amount of [a] loan **REPAYMENT ASSISTANCE** awarded under this subtitle in each priority area described under § 18–2805 of this subtitle.

DRAFTER'S NOTE:

Error: Incorrect word usage in § 18–2806(2) of the Education Article.

Occurred: Chs. 575 and 576, Acts of 2009.

18–3402.

(a) In Howard County, the governing [board] **BODY** of the county may establish a Student Loan Assistance Repayment Program for Teachers employed by the Howard County Public School System.

DRAFTER'S NOTE:

Error: Incorrect word usage in § 18–3402(a) of the Education Article.

Occurred: Ch. 140, Acts of 2018. Correction suggested by the Attorney General in the Bill Review Letter for H.B. 1180 (Ch. 140) of 2018 (footnote 4), dated April 9, 2018.

18–3506.

(b) The regulations adopted under subsection (a) of this section shall:

(1) Identify the programs that meet the requirements of [§ 18–3403(b)(2)] **§ 18–3503(B)(2)** of this subtitle; and

DRAFTER'S NOTE:

Error: Erroneous cross-reference in § 18–3506(b)(1) of the Education Article.

Occurred: Ch. 415, Acts of 2018.

23–102.

(b) It is the policy of this State:

(2) To develop coordinated programs and services among libraries and institutions to:

(ii) [Insure] **ENSURE** more effective and economical services to all library users.

DRAFTER’S NOTE:

Error: Incorrect word usage in § 23–102(b)(2)(ii) of the Education Article.

Occurred: Ch. 22, § 2, Acts of 1978.

23–604.

(b) There [are] **IS** a professional and technical unit and a service and labor unit for collective bargaining purposes.

DRAFTER’S NOTE:

Error: Grammatical error in § 23–604(b) of the Education Article.

Occurred: Ch. 648, Acts of 2013.

24–1003.

(d) In addition to the voting members, the following individuals shall serve as ex officio, nonvoting members:

(4) The [Center Coordinator] **DIRECTOR OF FREDERICK CREST.**

DRAFTER’S NOTE:

Error: Incorrect word usage in § 24–1003(d)(4) of the Education Article.

Occurred: As a result of Ch. 218, Acts of 2015.

Article – Election Law

13–306.

(a) (5) (i) “Person” includes an individual, a partnership, a committee, an association, a corporation, a labor organization, [or] **AND** any other organization or group of persons.

DRAFTER’S NOTE:

Error: Stylistic error in § 13–306(a)(5)(i) of the Election Law Article.

Occurred: Ch. 575, Acts of 2011.

13–307.

(a) (6) (i) “Person” includes an individual, a partnership, a committee, an association, a corporation, a labor organization, [or] **AND** any other organization or group of persons.

DRAFTER’S NOTE:

Error: Stylistic error in § 13–307(a)(6)(i) of the Election Law Article.

Occurred: Ch. 575, Acts of 2011.

13–505.

(c) A system of public campaign financing enacted under subsection (a) of this section may:

(1) provide for more stringent regulation of campaign finance activity by candidates who choose to accept public campaign financing, including contributions, expenditures, reporting, and campaign material, than is provided for by State law; and

(2) provide for administrative penalties for violations, in accordance with [Article 25A, § 5 of the Code] **§ 10–202 OF THE LOCAL GOVERNMENT ARTICLE**.

DRAFTER’S NOTE:

Error: Obsolete cross–reference in § 13–505(c) of the Election Law Article.

Occurred: Ch. 419, Acts of 2013.

Article – Environment

6–819.

(c) (2) (i) An owner who receives multiple notices of an elevated blood **LEAD** level under this subsection or multiple notices of defect under subsection (d) of this section may satisfy all such notices by subsequent compliance with the risk reduction measures specified in subsection (a) of this section, as documented by satisfaction of subsection (f) or (g) of this section, if the owner complies with the risk reduction measures specified in subsection (a) of this section after the date of the test documenting the elevated blood **LEAD** level or after the date the notices of defect were issued.

DRAFTER'S NOTE:

Error: Omitted words in § 6–819(c)(2)(i) of the Environment Article.

Occurred: Ch. 278, Acts of 2005.

9–1605.2.

(i) (9) (i) The eligibility and priority ranking of a project shall be determined by the Department based on criteria established in regulations adopted by the Department, in accordance with subsection [(k)] **(L)** of this section.

(j) (6) The Committee shall:

(viii) Advise the Secretary concerning the adoption of regulations as described in subsection [(k)] **(L)** of this section; and

DRAFTER'S NOTE:

Error: Erroneous internal references in § 9–1605.2(i)(9)(i) and (j)(6)(viii) of the Environment Article.

Occurred: As a result of Ch. 257, Acts of 2007.

9–1605.3.

(f) (2) For financial assistance over \$500,000 awarded under the Fund, the grantee shall demonstrate, to the satisfaction of the Department, that steps were taken to include small businesses, certified minority business enterprises, and certified minority business enterprises classified as women–owned businesses by:

(ii) **[Assuring] ENSURING** that small businesses, certified minority business enterprises, and certified minority business enterprises classified as women–owned businesses are solicited whenever they are potential sources;

DRAFTER'S NOTE:

Error: Incorrect word usage in § 9–1605.3(f)(2)(ii) of the Environment Article.

Occurred: Ch. 653, Acts of 2010.

Article – Family Law

4–501.

(b) (1) “Abuse” means any of the following acts:

(iv) rape or sexual offense under [§§ 3–303 through 3–308] **§ 3–303, § 3–304, § 3–307, OR § 3–308** of the Criminal Law Article or attempted rape or sexual offense in any degree;

DRAFTER’S NOTE:

Error: Obsolete cross–reference in § 4–501(b)(1)(iv) of the Family Law Article.

Occurred: As a result of Chs. 161 and 162, Acts of 2017, which repealed §§ 3–305 and 3–306 of the Criminal Law Article.

Article – Financial Institutions

2–104.1.

(a) (6) (ii) “Student loan servicer” includes a trust entity performing or receiving the benefit of student **EDUCATION** loan servicing.

(e) The Student Loan Ombudsman, in consultation with the Commissioner, shall disseminate information about student education loans and servicing by:

(3) Disseminating information about the availability of the Student Loan Ombudsman to assist those with student **EDUCATION** loan servicing concerns, including disseminating the information to:

- (i) Student loan borrowers;
- (ii) Potential student loan borrowers;
- (iii) State higher education institutions; and
- (iv) Student loan servicers.

(f) (1) The Student Loan Ombudsman shall:

- (iii) Make recommendations regarding:

2. Necessary changes to State law to ensure that the student **EDUCATION** loan servicing industry is fair, transparent, and equitable, including whether the State should require licensing or registration of student loan servicers.

DRAFTER'S NOTE:

Error: Misnomer in § 2–104.1(a)(6)(ii), (e)(3), and (f)(1)(iii)2 of the Financial Institutions Article.

Occurred: Chs. 731, § 2 and 732, § 4, Acts of 2018.

11–201.

(e) “Loan” means any loan or advance of money or credit subject to Title 12, Subtitle 3 of the Commercial Law Article, the Maryland Consumer Loan Law – Credit Provisions, regardless of whether the loan or advance of money or credit is or purports to be made under [this subtitle] **TITLE 12, SUBTITLE 3 OF THE COMMERCIAL LAW ARTICLE**.

DRAFTER'S NOTE:

Error: Erroneous cross–reference in § 11–201(e) of the Financial Institutions Article.

Occurred: Chs. 731, § 1 and 732, § 3, Acts of 2018. Correction suggested by the Attorney General in the Bill Review Letter for H.B. 1634 (Ch. 731) and S.B. 1068 (Ch. 732) (footnote 3), dated May 3, 2018.

Article – Health – General

10–622.

(a) A petition for emergency evaluation of an individual may be made under this section only if the petitioner has reason to believe that the individual:

(2) [The individual presents] **PRESENTS** a danger to the life or safety of the individual or of others.

DRAFTER'S NOTE:

Error: Extraneous language in § 10–622(a)(2) of the Health – General Article.

Occurred: Ch. 441, Acts of 2003.

13–3804.

(c) The Task Force shall consult with the Office of Minority Health and **HEALTH** Disparities in carrying out the duties of the Task Force.

DRAFTER'S NOTE:

Error: Misnomer in § 13–3804(c) of the Health – General Article.

Occurred: Ch. 708, Acts of 2018.

13–3805.

(a) The President of the University of Maryland, Baltimore **CAMPUS**, or the President's designee, shall appoint the cochairs of the Task Force.

(c) The University of Maryland, Baltimore **CAMPUS** shall provide staff support for the Task Force.

DRAFTER'S NOTE:

Error: Misnomer in § 13–3805(a) and (c) of the Health – General Article.

Occurred: Ch. 708, Acts of 2018.

19–705.1.

(b) (1) The standards of quality of care shall include:

(v) A requirement that a health maintenance organization shall **[assure] ENSURE** that:

1. Each member who is seen for a medical complaint is evaluated under the direction of a physician; and

2. Each member who receives diagnostic evaluation or treatment is under the medical management of a health maintenance organization physician who provides continuing medical management;

DRAFTER'S NOTE:

Error: Incorrect word usage in § 19–705.1(b)(1)(v) of the Health – General Article.

Occurred: Ch. 816, Acts of 1986.

24–1503.

(b) An application for a grant from the Fund shall include, at minimum:

(2) A plan for the establishment of a database that collects data from the program to ensure that the [provision of] services [is] **ARE** provided to the families with the highest need.

DRAFTER'S NOTE:

Error: Extraneous language in § 24–1503(b)(2) of the Health – General Article.

Occurred: Chs. 558 and 559, Acts of 2018.

Article – Health Occupations

1–901.

(c) [(1)] “Teletherapy” means [telemedicine] **TELEHEALTH**, as defined in § 15–139 of the Insurance Article, used to deliver behavioral health services.

DRAFTER'S NOTE:

Error: Misnomer and stylistic error in § 1–901(c) of the Health Occupations Article.

Occurred: Ch. 610, Acts of 2017; As a result of Ch. 765, Acts of 2017.

7–101.

(d) “Board” means the [Maryland] State Board of Morticians and Funeral Directors.

DRAFTER'S NOTE:

Error: Misnomer in § 7–101(d) of the Health Occupations Article.

Occurred: Ch. 728, Acts of 1986.

Article – Housing and Community Development

8–109.

(c) (1) By regulation, the Secretary shall adopt standards for distributing financial assistance under § 8–108 of this [subtitle] **TITLE**.

DRAFTER'S NOTE:

Error: Stylistic error in § 8–109(c)(1) of the Housing and Community Development Article.

Occurred: Ch. 26, § 2, Acts of 2005.

Article – Human Services

10–401.

(p) (2) “Health related services” includes:

(i) priority admission to a nursing home or assisted living program;

[or] AND

DRAFTER’S NOTE:

Error: Stylistic error in § 10–401(p)(2)(i) of the Human Services Article.

Occurred: Ch. 3, § 2, Acts of 2007.

Article – Insurance

6–122.

An insurer may claim a tax credit for an investment of designated capital as provided under [Title 6, Subtitle 5] **TITLE 10, SUBTITLE 4** of the Economic Development Article.

DRAFTER’S NOTE:

Error: Erroneous cross–reference in § 6–122 of the Insurance Article.

Occurred: As a result of Ch. 141, § 2, Acts of 2015, which renumbered Title 6, Subtitle 5 to Title 10, Subtitle 4 of the Economic Development Article.

15–124.

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

(2) “Group] **SECTION, “GROUP health insurance”** has the meaning stated in § 15–301 of this title.

DRAFTER’S NOTE:

Error: Stylistic error in § 15–124(a) of the Insurance Article.

Occurred: Ch. 110, Acts of 1998.

15–142.

(a) (4) “Supporting [Medical Information] **MEDICAL INFORMATION**” means:

(i) a paid claim from an entity subject to this section for an insured or an enrollee;

(ii) a pharmacy record that documents that a prescription has been filled and delivered to an insured or an enrollee, or a representative of an insured or an enrollee; or

(iii) other information mutually agreed on by an entity subject to this section and the prescriber of an insured or an enrollee.

DRAFTER’S NOTE:

Error: Capitalization error in § 15–142(a)(4) of the Insurance Article.

Occurred: Chs. 316 and 317, Acts of 2014.

15–1202.

[(b) A carrier is subject to the requirements of § 15–1403 of this title in connection with health benefit plans issued under this subtitle.]

[(c) (B) This subtitle applies to any health benefit plan offered by an association, a professional employer organization, or any other entity, including a plan issued under the laws of another state, if the health benefit plan covers eligible employees of one or more small employers and meets the requirements of subsection (a) of this section.]

DRAFTER’S NOTE:

Error: Obsolete language in § 15–1202(b) of the Insurance Article.

Occurred: As a result of Ch. 363 of 2015, which repealed § 15–1403 of the Insurance Article. That section previously required a carrier to provide written certification of creditable coverage in connection with group health benefit plans.

19–807.

(d) (1) Health care provider rate increases under [subsection (b)(2) and (3)(ii), (iii), and (iv)2] **SUBSECTION (C)(2) AND (3)(II), (III), AND (IV)2** of this section shall be determined by the Secretary in consultation with managed care organizations, the Maryland Hospital Association, the Maryland State Medical Society, the American Academy of Pediatrics, Maryland Chapter, the American College of Emergency Room Physicians, Maryland Chapter, the Maryland State Dental Association, and the Maryland Dental Society.

DRAFTER'S NOTE:

Error: Erroneous internal references in § 19–807(d)(1) of the Insurance Article.

Occurred: Ch. 329, Acts of 2008.

20–612.

(e) (1) The Motor Vehicle Administration and the Central [Collections] **COLLECTION** Unit shall provide the Uninsured Division with contact information and the total amount of delinquent uninsured vehicle penalties of each individual who may be eligible to participate in the Program.

(g) (1) On behalf of the State, the Uninsured Division may collect the amount of the delinquent uninsured vehicle penalties due together with any Central [Collections] **COLLECTION** Unit fee that is due and transmit the money that is owed to the Motor Vehicle Administration and the Central [Collections] **COLLECTION** Unit.

(2) On notification from the Uninsured Division that the required amount of the uninsured vehicle penalties and Central Collection Unit fees have been received from an eligible individual, the Motor Vehicle Administration and the Central [Collections] **COLLECTION** Unit shall take the necessary steps to allow the eligible individual to register a vehicle.

DRAFTER'S NOTE:

Error: Misnomer in § 20–612(e)(1) and (g) of the Insurance Article.

Occurred: Chs. 195 and 196, Acts of 2018. Correction by the publisher of the Annotated Code in the 2018 Supplement of the Insurance Article is ratified by this Act.

Article – Labor and Employment

3–413.

(b) Except as provided in subsection (d) of this section and § 3–414 of this subtitle, each employer shall pay:

(1) to each employee who is subject to both the federal Act and this subtitle, at least the greater of:

(ii) the State minimum wage [rate] set under subsection (c) of this section; and

(2) to each other employee who is subject to this subtitle, at least:

(i) the greater of:

2. the State minimum wage [rate] set under subsection (c) of this section; or

DRAFTER’S NOTE:

Error: Extraneous language in § 3–413(b)(1)(ii) and (2)(i)2 of the Labor and Employment Article.

Occurred: Ch. 262, Acts of 2014.

Article – Natural Resources

3–103.

(e) (1) The Treasurer shall develop and maintain a detailed and accurate accounting system for all financial transactions of the Service, and he shall perform other duties relating to the financial affairs of the Service as required by law or by a directive of the Board. Unless any money of the Service is otherwise held by or payable to a trustee appointed pursuant to a resolution authorizing the issuance of bonds or notes or under a trust agreement securing the bonds or notes, the Treasurer shall receive money of the Service until otherwise prescribed by [law,] **LAW AND** he shall deposit the money as soon as it is received to the credit of the Service in any financial institution in which the State Treasurer is authorized to deposit State funds. He shall disburse money for the purposes of the Service according to law, only upon his warrant. He shall make arrangements for the payment of the interest on and principal of the Service debt. Upon entering the performance of his duties, the Treasurer shall be covered by a surety bond in accordance with the provisions of law concerning the State Employees Surety Bond Committee.

DRAFTER’S NOTE:

Error: Extraneous comma and omitted conjunction in § 3–103(e)(1) of the Natural Resources Article.

Occurred: Ch. 4, Acts of the First Special Session of 1973.

3–122.

(b) (2) (vii) The county or municipal corporation may enter into a rate covenant with the Service specifying the level of these rates and charges, the covenants described in § 3–104(m) of this subtitle, and other covenants of the county or municipal corporation to provide solid waste collection, treatment, or disposal service and [assure] **ENSURE** that sufficient revenues are available to provide for the payments due under the

contract.

DRAFTER'S NOTE:

Error: Incorrect word usage in § 3–122(b)(2)(vii) of the Natural Resources Article.

Occurred: Ch. 815, Acts of 1989.

3–210.

Any function or activity of the Governor's Committee to Keep Maryland Beautiful is transferred to the Trust. These functions and activities include, by way of enumeration and not limitation:

(1) Educating Maryland citizens and visitors in their individual responsibility in litter prevention and care of the out-of-doors through a two-fold approach:

(i) Awareness–publicity through radio, TV, newspapers, and other public media; **AND**

(3) Increasing beauty through stimulation of private business, community, and public planting projects; **AND**

DRAFTER'S NOTE:

Error: Omitted conjunctions in § 3–210(1)(i) and (3) of the Natural Resources Article.

Occurred: Ch. 4, Acts of the First Special Session of 1973.

3–305.

(a) The expertise of the electric utilities in the basic requirements, including environmental considerations, of a site for power generation and generator lead route is a needed element in site selection. Therefore, for the purposes of [insuring] **ENSURING** adequate power on reasonable schedules while also protecting the quality of the State's environment, site acquisition and generator lead route designation may occur as follows:

DRAFTER'S NOTE:

Error: Incorrect word usage in § 3–305(a) of the Natural Resources Article.

Occurred: Ch. 4, Acts of the First Special Session of 1973.

3–604.

In order to carry out the policy of this subtitle, the Secretary of Natural Resources shall:

(6) [The Secretary of Natural Resources shall obtain] **OBTAIN** the suggestions and comments of those departments having responsibility associated with the duties enumerated in this [subsection] **SECTION**.

DRAFTER'S NOTE:

Error: Extraneous language and erroneous internal reference in § 3–604(6) of the Natural Resources Article.

Occurred: Ch. 778, Acts of 1977.

3–909.

(c) Any such escrowed proceeds, pending such use, may be invested and reinvested in obligations of or guaranteed by the United States of America, or in certificates of deposit or time deposits secured by obligations of or guaranteed by the United States of America, maturing at such time or times as shall be appropriate to [assure] **ENSURE** the prompt payment, as to principal, interest, and redemption premium, if any, of the outstanding bonds to be so refunded. The interest, income and profits, if any, earned or realized on any such investment may also be applied to the payment of the outstanding bonds to be so refunded. After the terms of the escrow have been fully satisfied and carried out, any balance of such proceeds and interest, income, and profits, if any, earned or realized on the investments thereof may be returned to the Authority for use by it in any lawful manner.

DRAFTER'S NOTE:

Error: Incorrect word usage in § 3–909(c) of the Natural Resources Article.

Occurred: Ch. 871, Acts of 1980.

4–217.

(e) An angler's license is not required of the following:

(1) A patient who is under treatment by a State–approved mental health facility and an individual who attends or resides in a State–approved [retardation] facility **FOR DEVELOPMENTALLY DISABLED INDIVIDUALS**; or

DRAFTER'S NOTE:

Error: Obsolete terminology in § 4–217(e)(1) of the Natural Resources Article.

Occurred: Ch. 288, Acts of 2005.

4–513.

Consistent with the requirements of any license issued by the federal Energy Regulatory Commission, a person who owns or operates a dam or obstruction on the waters of the State used for the generation of electric power and the Secretary shall cooperate to [assure] **ENSURE** the release of a sufficient flow of impounded water to maintain both water quality and aquatic habitat below the dam or obstruction.

DRAFTER'S NOTE:

Error: Incorrect word usage in § 4–513 of the Natural Resources Article.

Occurred: Ch. 448, Acts of 1981.

4–701.

(d) (2) (ii) The following annual fees for an authorization shall apply regardless of when the license is issued or an activity is authorized:

1. To provide services as:

A. A fishing guide in the tidal waters of Maryland – \$100 for a resident and \$200 for a nonresident; and

B. A master fishing guide, in addition to the fee under item A of this item – \$100 per [vessel] **VESSEL**;

2. To catch for sale fish with equipment which is legal under this title:

A. Finfish:

I. Hook and line only, [anywhere: \$100] **ANYWHERE – \$100;**

AND

II. All other [equipment: \$150] **EQUIPMENT – \$150;**

B. Blue crabs:

I. Up to 50 pots, trotlines, nets, dip nets, traps, pounds, and [scrapes: \$100] **SCRAPES – \$100; AND**

II. Over 50 pots, plus any other gear listed in item I of this

item ~~[\$150]~~ – **\$150;**

C. Clams – ~~[\$100]~~ **\$100;**

D. Oysters – \$250 for a dredge boat and \$100 for other than a dredge ~~[boat]~~ **BOAT;**

E. Conch, turtles, lobster, and all crabs of the genus Cancer – ~~[\$100]~~ **\$100; AND**

F. For all activities in item 1A of this subparagraph and in items A through E of this item, unlimited tidal fish – ~~[\$300]~~ **\$300;**

3. For one or two crew members employed under § 4–814 of this title to enable a licensee to catch blue crabs under item 2BII and F of this subparagraph with more than 300 pots, the licensee shall pay an additional:

A. \$100 for up to 600 pots total per vessel; or

B. \$150 for up to 900 pots total per ~~[vessel.]~~ **VESSEL;**

4. For a person to buy, process, pack, resell, market or otherwise deal in fish caught in the tidal waters of Maryland, seafood dealer:

A. \$50 for a person licensed under item 2 of this subparagraph or § 4–701.1 of this subtitle; or

B. \$250 for a person not licensed under item 2 of this ~~[subparagraph.]~~ **SUBPARAGRAPH; AND**

5. For a person who is not licensed under this section to land fish caught in out-of-state tidal waters, seafood landing – ~~[\$350]~~ **\$350.**

(j) (2) (iii) The Department shall provide in its regulations for the allocation of any available quota on a monthly basis to ~~[assure]~~ **ENSURE** that all areas of the State have ample opportunity to attain an equitable portion of the available quota.

DRAFTER'S NOTE:

Error: Omitted punctuation in § 4–701(d)(2)(ii) of the Natural Resources Article and incorrect word usage in § 4–701(j)(2)(iii) of the Natural Resources Article.

Occurred: Ch. 184, Acts of 1994; Ch. 769, Acts of 1998; Ch. 231, Acts of 2005; Ch. 519, Acts of 2013.

4–714.

(e) (1) A person may not set a haul seine exceeding 50 feet in length in the following waters:

(v) Within the headlands of [Meridith] **MEREDITH** Creek and Lake Ogleton.

DRAFTER'S NOTE:

Error: Misspelling in § 4-714(e)(1)(v) of the Natural Resources Article.

Occurred: Ch. 4, Acts of the First Special Session of 1973.

4-745.

(c) A person may fish for finfish in the Chesapeake Bay or its tidal tributaries or in State waters of the Atlantic Ocean and coastal bays and their tributaries without a Chesapeake Bay and coastal sport fishing license if the person:

(3) Holds a valid tidal water sport fishing license issued by the [State] **COMMONWEALTH** of Virginia, Potomac River Fisheries Commission, or District of Columbia, provided that this exemption shall not take effect until the Secretary has published notice in the Maryland Register of the Secretary's determination that the Virginia, Potomac River Fisheries Commission, or District of Columbia requirements for a tidal water sport fishing license are substantially similar to and reciprocal with the Chesapeake Bay and coastal sport fishing license requirements of this section;

DRAFTER'S NOTE:

Error: Misnomer in § 4-745(c)(3) of the Natural Resources Article.

Occurred: Ch. 792, Acts of 1984.

4-901.

(a) The Department may adopt rules and regulations to:

(1) Restrict the possession, landing, selling, or transporting of any lobster or lobster parts; **AND**

DRAFTER'S NOTE:

Error: Omitted conjunction in § 4-901(a)(1) of the Natural Resources Article.

Occurred: Ch. 170, Acts of 1984.

4–1033.

(a) The Department shall adopt rules and regulations [assuring] **ENSURING** that a tidal fish license authorizes a person to use only one hydraulic clam dredge. The Department also shall adopt rules and regulations requiring all licensees operating a hydraulic clam dredge owned by another person, or subject to a lien held by another person to have the license in possession when engaged in licensed activities and to affix the license identification number permanently to the vessel as required in § 4–701(i) of this title.

DRAFTER’S NOTE:

Error: Incorrect word usage in § 4–1033(a) of the Natural Resources Article.

Occurred: Ch. 4, Acts of the First Special Session of 1973.

5–214.

(b) To [assure] **ENSURE** the availability and compatibility of planning data, scientific information and funding, the Department shall cooperate with the U.S. Department of Agriculture in forest resource planning efforts as provided for in the Forest and Rangelands Renewable Resources Planning Act of 1974 and the Cooperative Forestry Assistance Act of 1978.

DRAFTER’S NOTE:

Error: Incorrect word usage in § 5–214(b) of the Natural Resources Article.

Occurred: Chs. 504 and 736, Acts of 1979.

5–9A–02.

(i) “Rural Legacy Area” means a region within or outside a metropolitan area designated by the Board as rich in a [multiple] **MULTITUDE** of agricultural, forestry, natural, and cultural resources.

DRAFTER’S NOTE:

Error: Incorrect word usage in § 5–9A–02(i) of the Natural Resources Article.

Occurred: Chs. 757 and 758, Acts of 1997.

5–1203.

(mm) Pursuant to the provisions of subsection (a) of this section, that property in Garrett County containing approximately 1,706 acres and described as follows is a Type 1 State wildland and shall be named the “Backbone Mountain Wildland”:

Beginning for the same at a point, said point being the beginning of the first line of the parcel of land described in a deed dated October 18, 2013 and recorded among the land records of Garrett County in Liber 1774, Folio 280 which was conveyed by Mountain Maryland Minerals LLC to the State of Maryland, to the use of the Department of Natural Resources, said point also being shown on a plat of survey entitled “ALTA/ACSM Land Title Survey, Exterior Boundary for the Lands of the State of Maryland, Department of Natural Resources situated along Maryland Route 135, Election District No. 4, Garrett County, Maryland”, prepared by Catoctin Mountain Surveys, Inc., dated May 10, 2013 and recorded among the land records of Garrett County in Plat Book TVM, page 497 and running then with the boundary of the Potomac State Forest and the first through eighth lines of said deed to a point intersecting the first line of a tract of land described in a deed dated January 7, 1935 and recorded among the land records of Garrett County in Liber 110, Folio 177 which was conveyed by Charles Strecker et al. to the State of Maryland, then running with the said State Forest boundary for remainder of the said first line to a point, then running with the second through fifth lines of said deed to a point, then running with a portion of the sixth line to a point, then leaving the said State Forest boundary and running along the northernmost edge of an existing woods road in a westerly direction 5048.45 feet to a point, said point having a coordinate value 667048.26 north, 696303.36 east (Maryland State plane grid system NAD83), then running north 23 degrees 16 minutes 01 seconds west 228.1 feet to a planted stone in the said State Forest boundary, then running with said State Forest boundary the following two courses, north 34 degrees 52 minutes 47 seconds west 561.00 feet more or less to a point, then north 24 degrees 52 minutes 47 [minutes] SECONDS west 586.3 feet more or less to a point in the southernmost right of way of the CSX Railroad, then running with the southernmost right of way of said railroad in a northeasterly direction to a point, said point being the beginning of the eighth line of a tract of land described in a deed dated December 12, 2011 and recorded among the land records of Garrett County in Liber 1629, Folio 380 which was conveyed by Willard F. White et al. to the State of Maryland and following the next three courses and distances, south 44 degrees 00 minutes 00 seconds east 198.0 feet, north 46 degrees 00 minutes 00 seconds east 214.5 feet, then north 44 degrees 00 minutes 00 seconds west 198.0 feet to a point, said point being in the southernmost right of way of the CSX Railroad, then running with the southernmost right of way of said railroad in a easterly direction to a point, said point being the beginning of the fourth line in a tract of land described in a deed dated January 5, 1985 and recorded among the land records of Garrett County in Liber 454, Folio 609 which was conveyed by Richard B. Newman et al. to The Nature Conservancy, a nonprofit Corporation, and following the next three courses and distances, south 26 degrees 00 minutes 00 seconds west 1584.00 feet, south 63 degrees 00 minutes 00 seconds east 990.0 feet, north 46 degrees 00 minutes 00 seconds east 1650.0 feet to a point, said point being in the southernmost right of way of the aforesaid CSX Railroad, then running with the southernmost right of way of said railroad in an easterly direction to a point, said point having a coordinate value 674787.84 north, 713729.74 east (Maryland State plane grid system NAD83), then leaving the said railroad right of way and running south 00 degrees 57 minutes 53 seconds west 656.9 feet to a point, said point being the beginning of the south 88 degrees 00 minutes 00 seconds west 2640.00 foot line of the first parcel of the first tract of land described in a deed dated March 15, 1948 and recorded on November 30, 1948

among the land records of Garrett County in Liber 154, Folio 140 which was conveyed by the Potomac River Commission to the State of Maryland, for the use of the State Department of Forest and Parks, then running with the following lines of said conveyance south 88 degrees 31 minutes 32 seconds west 2613.80 feet more or less, south 04 degrees 14 minutes 29 seconds west 311.81 feet more or less, north 69 degrees 35 minutes 51 seconds west 209.63 feet more or less, north 68 degrees 27 minutes 39 seconds west 1642.13 feet more or less, south 20 degrees 27 minutes 32 seconds west 314.94 feet more or less to a point, said point being the beginning of the first line of the parcel of land described in a deed dated October 18, 2013 and recorded among the land records of Garrett County in Liber 1774, Folio 280 which was conveyed by Mountain Maryland Minerals LLC to the State of Maryland, to the use of the Department of Natural Resources, then running south 20 degrees 27 minutes 32 seconds west 929.06 feet, south 15 degrees 09 minutes 35 seconds west 251.99 feet, south 79 degrees 15 minutes 41 seconds west 448.15 feet, south 16 degrees 34 minutes 12 seconds east 35.00 feet, south 68 degrees 38 minutes 19 seconds west 365.36 feet, north 70 degrees 43 minutes 44 seconds west 620.98 feet, north 44 degrees 03 minutes 05 seconds west 124.01 feet, south 72 degrees 11 minutes 42 seconds west 1291.88 feet, south 15 degrees 17 minutes 29 seconds east 707.67 feet, north 73 degrees 09 minutes 10 seconds east 50.06 feet, south 13 degrees 20 minutes 23 seconds west 28.42 feet, and then north 70 degrees 36 minutes 39 seconds west 138.52 feet to the point of beginning.

Saving and excepting a tract of land described in a deed dated January 5, 1985 and recorded among the land records of Garrett County in Liber 454, Folio 609 which was conveyed by Richard B. Newman et al. to The Nature Conservancy, a nonprofit Corporation containing 48.15 acres more or less.

Saving and excepting a tract of land described in a deed dated June 6, 2008 and recorded among the land records of Garrett County in Liber 1374, Folio 35 which was conveyed by Diane M. Kenner to Erwin P. Kenner and Diane M. Kenner containing 1.85 acres more or less.

Parcel 2:

Beginning for the same at a point on the southernmost edge of a woods road, said point having the coordinate value 667037.54 north, 699584.53 east (Maryland State plane grid system NAD83), then running south 45 degrees 50 minutes 05 seconds west 4814.4 feet, then south 52 degrees 35 minutes 30 seconds west 4128.1 feet more or less to a point in the northernmost right of way of State Route 135, then running north 73 degrees 25 minutes 13 seconds west 552.5 feet more or less to a point on the southernmost edge of the aforesaid woods road, said point having the coordinate value 661333.10 north, 692322.39 east (Maryland State plane grid system NAD83), then running with the easternmost edge of the aforesaid woods road in a generally northerly direction to the point of beginning.

DRAFTER'S NOTE:

Error: Incorrect word usage in § 5-1203(mm) of the Natural Resources Article.

Occurred: Ch. 465, Acts of 2014.

5–1208.

Prior to submitting any recommendations to the Governor with respect to the suitability of any area for preservation as wildland the Secretary shall:

(2) Announce and then hold a public hearing at a location convenient to the area affected. A hearing shall be announced by any means the Secretary deems appropriate, including notice in a newspaper of general circulation in the area but, if the lands involved are located in more than one county, the hearing shall be held in the county in which the greatest portion of the land lies; **AND**

DRAFTER’S NOTE:

Error: Omitted conjunction in § 5–1208(2) of the Natural Resources Article.

Occurred: Ch. 4, Acts of the First Special Session of 1973.

5–1504.

(a) The Department shall manage land or interests in land acquired under this subtitle to [assure] **ENSURE**:

(1) The continued existence of any unique ecological features;

(2) The continued survival of any rare, threatened, or endangered plant or animal;

(3) The protection of forestlands and wetlands, although timber harvesting may be allowed under an approved forest conservation plan; and

(4) The protection of the Chesapeake Bay and its tributaries and of water quality anywhere in the State.

DRAFTER’S NOTE:

Error: Incorrect word usage in § 5–1504(a) of the Natural Resources Article.

Occurred: Ch. 847, Acts of 1986.

5–1601.

(aa) (3) “Nontidal [wetlands] do] **WETLAND**” **DOES** not include A tidal [wetlands] **WETLAND** regulated under Title 16 of the Environment Article.

DRAFTER'S NOTE:

Error: Incorrect word usage in § 5–1601(aa)(3) of the Natural Resources Article.

Occurred: Ch. 255, Acts of 1991.

Article – Public Safety

2–311.

(f) (3) A claim under paragraph (2) of this subsection is barred if more than 3 years [has] **HAVE** passed since the date of a sale under this section.

DRAFTER'S NOTE:

Error: Grammatical error in § 2–311(f)(3) of the Public Safety Article.

Occurred: Ch. 5, § 2, Acts of 2003.

Subtitle 2. **MARYLAND** Police Training and Standards Commission.

3–201.

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

(b) “Commission” means the Maryland Police Training and Standards Commission.

DRAFTER'S NOTE:

Error: Misnomer in the subtitle designation immediately preceding § 3–201 of the Public Safety Article.

Occurred: As a result of Ch. 519, Acts of 2016, which renamed the Police Training Commission to be the Maryland Police Training and Standards Commission. Correction by the publisher of the Annotated Code in the 2016 Supplement of the Public Safety Article did not accurately reflect the renaming of the Commission. The subtitle designation is amended by this Act to conform to changes enacted by Ch. 519, Acts of 2016.

3–312.

(b) (1) At the end of the term of a commission, the commission is renewable for a 3–year term if the employer of the special police officer submits to the Secretary:

(iv) subject to paragraph (2) of this subsection, [pays to the Secretary] a renewal fee of \$60.

DRAFTER'S NOTE:

Error: Extraneous language in § 3–312(b)(1)(iv) of the Public Safety Article.

Occurred: Ch. 298, Acts of 2015.

3–506.

(b) On or before January 1, 2016, each law enforcement agency in the State shall:

(1) adopt the **MARYLAND** Police Training **AND STANDARDS** Commission's Eyewitness Identification Model Policy; or

DRAFTER'S NOTE:

Error: Misnomer in § 3–506(b)(1) of the Public Safety Article.

Occurred: As a result of Ch. 519, Acts of 2016, which renamed the Police Training Commission to be the Maryland Police Training and Standards Commission.

Subtitle 8. [Miscellaneous Grant Programs] **SAFE STREETS INITIATIVES.**

4–801.

(a) In this section, "Safe Streets Initiative" means a violence prevention or intervention program operated by a community-based organization in a neighborhood that is disproportionately affected by violent crime.

DRAFTER'S NOTE:

Error: Duplicate subtitle designations in Subtitles 8 and 10 of Title 4 of the Public Safety Article.

Occurred: As a result of Chs. 147 and 148, Acts of 2018, each of which added a subtitle designation "Miscellaneous Grant Programs" to Title 4 of the Public Safety Article.

4–1102.

(b) The purpose of the Fund is to provide grants to eligible counties to:

(2) improve existing pretrial [service] **SERVICES** programs to comply with § 4–1104 of this subtitle.

DRAFTER'S NOTE:

Error: Misnomer in § 4–1102(b)(2) of the Public Safety Article.

Occurred: Ch. 771, Acts of 2018.

5–601.

(e) (2) “Petitioner” includes:

(vii) a current dating or intimate partner of the respondent; [or] AND

DRAFTER’S NOTE:

Error: Erroneous conjunction in § 5–601(e)(2)(vii) of the Public Safety Article.

Occurred: Ch. 250, Acts of 2018.

12–812.

(b) (2) Each cliffside elevator on the property of a privately owned single–family residential dwelling shall have a periodic inspection once every 2 years by a third–party qualified **ELEVATOR** inspector as provided for in § 12–809(d) of this subtitle.

DRAFTER’S NOTE:

Error: Misnomer in § 12–812(b)(2) of the Public Safety Article.

Occurred: Ch. 155, Acts of 2014.

13–502.

(a) (1) The Governor may adopt regulations to carry out this [title] **SUBTITLE** governing the enlistment, organization, administration, equipment, maintenance, training, and discipline of the Maryland Defense Force.

DRAFTER’S NOTE:

Error: Incorrect word usage in § 13–502(a)(1) of the Public Safety Article.

Occurred: Ch. 5, § 2, Acts of 2003.

Article – Public Utilities

6–207.

In addition to any other information that the Commission requires, the annual report of a public service company shall state:

(6) when applicable:

(ii) an annual recapitulation of the information required under [subitem] **ITEM** (i) of this item.

DRAFTER’S NOTE:

Error: Stylistic error in § 6–207(6)(ii) of the Public Utilities Article.

Occurred: Ch. 8, § 2, Acts of 1998.

7–207.

(a) (1) **[(i)]** In this section and § 7–208 of this subtitle, “construction” means:

1. any physical change at a site, including fabrication, erection, installation, or demolition; or

2. the entry into a binding agreement or contractual obligation to purchase equipment exclusively for use in construction in the State or to undertake a program of actual construction in the State which cannot be canceled or modified without substantial loss to the owner or operator of the proposed generating station.

(ii) “Construction” does not include a change that is needed for the temporary use of a site or route for nonutility purposes or for use in securing geological data, including any boring that is necessary to ascertain foundation conditions.

(2) **(i)]** In this section the following words have the meanings indicated.

[(ii)] (2) “Brownfields site” means:

[1.] (I) a former industrial or commercial site identified by federal or State laws or regulation as contaminated or polluted;

[2.] (II) a closed landfill regulated by the Department of the Environment; or

[3.] (III) mined land.

(3) (I) “CONSTRUCTION” MEANS:

1. ANY PHYSICAL CHANGE AT A SITE, INCLUDING FABRICATION, ERECTION, INSTALLATION, OR DEMOLITION; OR

2. THE ENTRY INTO A BINDING AGREEMENT OR CONTRACTUAL OBLIGATION TO PURCHASE EQUIPMENT EXCLUSIVELY FOR USE IN CONSTRUCTION IN THE STATE OR TO UNDERTAKE A PROGRAM OF ACTUAL CONSTRUCTION IN THE STATE WHICH CANNOT BE CANCELED OR MODIFIED WITHOUT SUBSTANTIAL LOSS TO THE OWNER OR OPERATOR OF THE PROPOSED GENERATING STATION.

(II) "CONSTRUCTION" DOES NOT INCLUDE A CHANGE THAT IS NEEDED FOR THE TEMPORARY USE OF A SITE OR ROUTE FOR NONUTILITY PURPOSES OR FOR USE IN SECURING GEOLOGICAL DATA, INCLUDING ANY BORING THAT IS NECESSARY TO ASCERTAIN FOUNDATION CONDITIONS.

[(iii) 1.] (4) (I) "Mined land" means the surface or subsurface of an area in which surface mining operations will be, are being, or have been conducted.

[2.] (II) "Mined land" includes:

[A.] 1. private ways and roads used for mining appurtenant to any surface mining area;

[B.] 2. land excavations;

[C.] 3. workings; and

[D.] 4. overburden.

[(iv)] (5) "Qualified generator lead line" means an overhead transmission line that is designed to carry a voltage in excess of 69,000 volts and would allow an out-of-state Tier 1 or Tier 2 renewable source to interconnect with a portion of the electric system in Maryland that is owned by an electric company.

DRAFTER'S NOTE:

Error: Unnecessary cross-reference and misplaced definition in § 7-207(a) of the Public Utilities Article.

Occurred: Ch. 8, § 2, Acts of 1998.

7-208.

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

(2) **“CONSTRUCTION” HAS THE MEANING STATED IN § 7–207 OF THIS SUBTITLE.**

(3) “Qualified offshore wind project” has the meaning stated in § 7–701 of this title.

[(3)] (4) “Qualified submerged renewable energy line” means:

(i) a line carrying electricity supply and connecting a qualified offshore wind project to the transmission system; and

(ii) a line in which the portions of the line crossing any submerged lands or any part of a beach erosion control district are buried or submerged.

DRAFTER’S NOTE:

Error: Missing cross–reference and defined term in § 7–208(a) of the Public Utilities Article.

Occurred: Ch. 8, § 2, Acts of 1998.

Article – Real Property

3–114.

(d) “Address Confidentiality Program” means:

(1) The Address Confidentiality Program for victims of domestic violence administered by the Secretary [of State] under Title 4, Subtitle 5, Part IV of the Family Law Article; or

DRAFTER’S NOTE:

Error: Extraneous language in § 3–114(d)(1) of the Real Property Article.

Occurred: Chs. 423 and 424, § 2, Acts of 2018.

Article – State Finance and Procurement

4–809.

(f) The Maryland Green Building Council shall:

(6) develop guidelines for new public school buildings to achieve the equivalent of the current version of the U.S. Green Building Council’s LEED (Leadership in Energy and Environmental Design) Green Building Rating System Silver rating or a

comparable rating system or building code as authorized in [§ 3–601.1] **§ 3–602.1** of this article without requiring an independent certification that the buildings have achieved the required standards.

DRAFTER’S NOTE:

Error: Erroneous cross–reference in § 4–809(f)(6) of the State Finance and Procurement Article.

Occurred: Ch. 14, Acts of 2018.

5–814.

(b) (1) [Except for ex officio members or their designees, the] **THE** term of a member appointed under subsection (a)(1) **THROUGH (6)** of this section is 4 years.

(2) At the end of a term, a member appointed under subsection (a)(1) **THROUGH (6)** of this section continues to serve until a successor is appointed and qualifies.

(3) A member who is appointed under subsection (a)(1) **THROUGH (6)** of this section after a term has begun serves only for the rest of the term and until a successor is appointed and qualifies.

DRAFTER’S NOTE:

Error: Erroneous internal references and extraneous language in § 5–814(b)(1), (2), and (3) of the State Finance and Procurement Article.

Occurred: Ch. 532, § 2, Acts of 1995.

5A–303.

(c) (3) (i) Subject to subparagraph (ii) of this paragraph, the initial credit certificate for a proposed commercial rehabilitation shall expire and the credit under this section may not be claimed if:

3. the applicant does not submit to the Trust a request for final certification of the commercial rehabilitation within 12 months after:

A. the 30–month expiration date under [subparagraph (i)2] **ITEM 2** of this [paragraph] **SUBPARAGRAPH**; or

DRAFTER’S NOTE:

Error: Stylistic error in § 5A–303(c)(3)(i)3A of the State Finance and Procurement Article.

Occurred: Ch. 601, Acts of 2014.

8–112.

(e) **(1) IN THIS SUBSECTION, “SYSTEM” AND “ACADEMIC FACILITIES” HAVE THE MEANINGS STATED IN § 19–101 OF THE EDUCATION ARTICLE.**

[(1) (2)] In addition to its other duties under this section, the Committee shall review on a continuing basis the size and condition of any debt of the University System of Maryland, Morgan State University, St. Mary’s College of Maryland, and the Baltimore City Community College.

[(2) (3)] In preparing an estimate with respect to the authorization of any new State debt, the Committee shall take into account as part of the affordability analysis any debt for academic facilities to be issued by a System.

[(3) (4)] At the same time that the Committee makes its report as required under subsection (b) of this section, the Committee shall submit to the Governor and the General Assembly the Committee’s estimate of the amount of new bonds for academic facilities that prudently may be authorized in the aggregate for the next fiscal year by the University System of Maryland, Morgan State University, St. Mary’s College of Maryland, and the Baltimore City Community College.

[(4)] For purposes of this subtitle, the terms “System” and “academic facilities” have the meanings stated in § 19–101 of the Education Article.]

(5) The Committee may request any needed information from a System and shall consider the information in making its estimates, including any information submitted by a System at its own initiative.

(6) This estimate:

(i) is advisory; and

(ii) does not bind the General Assembly, the Board, or the Governor.

DRAFTER’S NOTE:

Error: Stylistic error in § 8–112(e) of the State Finance and Procurement Article.

Occurred: Ch. 93, Acts of 1989.

13–103.

(e) (4) A [responsible] **RESPONSIVE** bid or proposal shall include the criteria specified in subsection (a) of this section.

DRAFTER'S NOTE:

Error: Incorrect word usage in § 13–103(e)(4) of the State Finance and Procurement Article.

Occurred: Ch. 74, Acts of 2004.

13–110.

(b) (3) A determination under paragraph (1)(ii) or (iii) of this subsection shall be in writing and include:

(i) sufficient evidence that the intergovernmental cooperative purchasing agreement:

2. will promote administrative [efficiencies,] **EFFICIENCIES** or promote intergovernmental cooperation; and

DRAFTER'S NOTE:

Error: Extraneous comma in § 13–110(b)(3)(i)2 of the State Finance and Procurement Article.

Occurred: Ch. 774, Acts of 2017.

13–112.

(g) If the Department is unable to negotiate a satisfactory procurement contract at a rate of compensation that is fair, competitive, and reasonable, it shall:

(2) negotiate in the same manner with the next most qualified person and, if necessary, continue negotiations in accordance with the procedures under this section until the [agency] **DEPARTMENT** reaches an agreement.

DRAFTER'S NOTE:

Error: Incorrect word usage in § 13–112(g)(2) of the State Finance and Procurement Article.

Occurred: Chs. 588 and 589, Acts of 2017.

13–224.

(d) Each year, the Department and any local departments that have entered into hiring agreements shall submit a report to the [Board, the Joint Committee on Welfare Reform,] **BOARD** and, subject to § 2–1246 of the State Government Article, the General Assembly on:

- (1) the number of hiring agreements executed;
- (2) the number of current and former FIP recipients, children of current or former recipients, foster youth, and obligors hired by an entity with which a hiring agreement was executed; and
- (3) the effectiveness of each hiring agreement in obtaining employment for current and former FIP recipients, children of current or former recipients, foster youth, and obligors.

DRAFTER’S NOTE:

Error: Obsolete language in § 13–224(d) of the State Finance and Procurement Article.

Occurred: As a result of Ch. 464, § 4, Acts of 2014, which repealed provisions of law establishing the Joint Committee on Welfare Reform.

14–302.

(a) (15) [(i)] With respect to materials or supplies purchased from a certified minority business enterprise that is neither a manufacturer nor a regular [dealer,] **DEALER:**

(I) a unit may apply the entire amount of fees or commissions charged for assistance in the procurement of the materials and supplies, fees, or transportation charges for the delivery of materials and supplies required on a procurement toward minority business enterprise contract goals, provided a unit determines the fees to be reasonable and not excessive as compared with fees customarily allowed for similar [services.] **SERVICES; AND**

(ii) [A] A unit may not apply any portion of the costs of the materials and supplies toward minority business enterprise goals.

DRAFTER’S NOTE:

Error: Stylistic error in § 14–302(a)(15) of the State Finance and Procurement Article.

Occurred: Ch. 438, § 2, Acts of 2017.

17–702.

(a) For purposes of this subtitle, a person engages in investment activities in Iran if:

(2) the person is a financial institution that extends \$20,000,000 or more in credit to another person for 45 days or more if the person to whom the credit is extended:

(i) will use the credit to provide goods or services in the energy sector of Iran as described in item (1) of this [section] **SUBSECTION**; and

DRAFTER’S NOTE:

Error: Stylistic error in § 17–702(a)(2)(i) of the State Finance and Procurement Article.

Occurred: As a result of Chs. 554 and 555, Acts of 2013.

Article – State Government

9–112.

(d) (5) The Director may adopt regulations to implement the provisions of this subsection that [included] **INCLUDE** restricting the location of instant ticket lottery machines in areas of a veterans’ organization’s public meeting hall that is accessible to the public.

(6) The [State Lottery and Gaming Control] Agency shall ensure that the element of chance in the conduct of the gaming through the instant ticket lottery machines established under this subsection is consistent with the holding in the case of Chesapeake Amusements Inc. v. Riddle, 363 Md. 16 (2001), in that the element of chance must be wholly within the pre–printed instant lottery ticket, and that player enhancements in an instant ticket lottery machine may not affect the element of chance being wholly within the pre–printed instant lottery ticket.

DRAFTER’S NOTE:

Error: Incorrect word usage in § 9–112(d)(5) and extraneous language in § 9–112(d)(6) of the State Government Article.

Occurred: Ch. 1, Acts of the Second Special Session of 2012.

9–1A–26.

(c) A jackpot won at a video lottery terminal that is not claimed by the winner

within 182 days after the jackpot is won shall:

(2) be distributed as follows:

(i) 2.5% to the Small, Minority, and Women–Owned Businesses Account established under [§ 9–1A–35] **§ 5–1501** of [this subtitle] **THE ECONOMIC DEVELOPMENT ARTICLE**;

DRAFTER’S NOTE:

Error: Obsolete cross–reference in § 9–1A–26(c)(2)(i) of the State Government Article.

Occurred: As a result of Ch. 453, Acts of 2017.

10–1503.

(h) The staffing responsibilities of the Council shall be shared by the Department of Information Technology, the Governor’s [StateStat] Office **OF PERFORMANCE IMPROVEMENT**, and any other staff designated by the Governor.

DRAFTER’S NOTE:

Error: Obsolete language in § 10–1503(h) of the State Government Article.

Occurred: As a result of Executive Order 01.01.2015.26.

20–301.

In this subtitle, “place of public accommodation” means:

(4) a retail establishment that:

(ii) offers goods, services, entertainment, recreation, or transportation; [and] **OR**

DRAFTER’S NOTE:

Error: Incorrect word usage in § 20–301(4)(ii) of the State Government Article.

Occurred: Ch. 120, § 2, Acts of 2009.

Article – State Personnel and Pensions

21–308.

(d) (1) (i) The State [Superintendent of Schools] **LIBRARIAN** shall determine the amount that equals the applicable percentage as determined under subparagraph (ii) of this paragraph of the payroll of the professional and clerical employees of the Department of Public Libraries of Montgomery County who are members of the Employees' Retirement System of Montgomery County and are excluded from membership in the Teachers' Retirement System or the Teachers' Pension System.

(2) The amount determined under paragraph (1) of this subsection shall be:

(i) included in the budget estimate for the [Superintendent of Schools] **STATE LIBRARY AGENCY**;

(ii) certified by the State [Superintendent of Schools] **LIBRARIAN** to the State Comptroller; and

DRAFTER'S NOTE:

Error: Obsolete language in § 21–308(d)(1)(i) and (2)(i) and (ii) of the State Personnel and Pensions Article.

Occurred: As a result of Chs. 337 and 338, Acts of 2017.

Article – Tax – General

10–204.

[(i) The addition under subsection (a) of this section includes the amount deducted under § 199 of the Internal Revenue Code for the qualified production activities income of the taxpayer for the taxable year.]

DRAFTER'S NOTE:

Error: Obsolete provision in § 10–204(i) of the Tax – General Article.

Occurred: As a result of enactment of the Tax Cuts and Jobs Act of 2017, which repealed the deduction for domestic production activities income under § 199 of the Internal Revenue Code. See, Public Law 115–97.

10–205.

(k) The addition under subsection (a) of this section includes, if a taxpayer sold or exchanged a property for which a subtraction modification enacted by Chapters 544 and 545 of the Acts of the General Assembly of 2012, as amended, or [under § 10–207(ee) of this subtitle] **CHAPTER 231 OF THE ACTS OF THE GENERAL ASSEMBLY OF 2017** has been claimed, the difference between:

(1) the taxpayer's federal adjusted gross income as reportable under the federal Mortgage Forgiveness Debt Relief Act of 2007, as amended, prior to its expiration on December 31, 2012, and without regard to the date limitation in § 108(a)(1)(e) of the Internal Revenue Code; and

(2) the taxpayer's federal adjusted gross income as claimed in the taxable year.

DRAFTER'S NOTE:

Error: Obsolete cross-reference in § 10-205(k) of the Tax – General Article.

Occurred: As a result of the termination of Ch. 231, § 2, Acts of 2017, which added § 10-207(ee) of the Tax – General Article.

Article – Tax – Property

9-304.

(b) The Mayor and City Council of Baltimore City may grant, by law, a property tax credit under this section against the county property tax imposed on:

(1) real property that is leased, occupied, and used only by [the Baltimore Association for Retarded Citizens, Incorporated] **THE ARC BALTIMORE, INC.;**

DRAFTER'S NOTE:

Error: Misnomer in § 9-304(b)(1) of the Tax – Property Article.

Occurred: Ch. 8, § 2, Acts of 1985. The organization referenced in § 9-304(b)(1) of the Tax – Property Article officially changed its name to the Arc of Baltimore, Inc., in 2002 and the Arc Baltimore, Inc., in 2011.

(e) (3) Subject to paragraph (4) of this subsection, a tax credit under this [section] **SUBSECTION** shall equal the amount of county property tax imposed on the increased value of the dwelling that is due to the improvements made to the property, multiplied by:

(i) 100% for the first taxable year following the first reassessment after the improvements are made;

(ii) 80% for the second taxable year following the first reassessment after the improvements are made;

(iii) 60% for the third taxable year following the first reassessment

after the improvements are made;

(iv) 40% for the fourth taxable year following the first reassessment after the improvements are made;

(v) 20% for the fifth taxable year following the first reassessment after the improvements are made; and

(vi) 0% for each taxable year thereafter.

DRAFTER'S NOTE:

Error: Erroneous internal reference in § 9–304(e)(3) of the Tax – Property Article.

Occurred: Ch. 617, Acts of 1994.

Article – Transportation

4–101.

(h) “Transportation facilities project” includes:

(1) The Susquehanna River Bridge, the Harry W. [Nice Memorial] **NICE/THOMAS “MAC” MIDDLETON** Potomac River Bridge, the William Preston Lane, Jr. Memorial Chesapeake Bay Bridge and parallel Chesapeake Bay Bridge, the Baltimore Harbor Tunnel, the Fort McHenry Tunnel, the Francis Scott Key Bridge, and the John F. Kennedy Memorial Highway, together with their appurtenant causeways, approaches, interchanges, entrance plazas, toll stations, and service facilities;

DRAFTER'S NOTE:

Error: Misnomer in § 4–101(h)(1) of the Transportation Article.

Occurred: As a result of Ch. 20, Acts of 2018.

4–407.

(b) A State agency, including the [Maryland Transportation] Authority, may not construct any toll road, toll highway, or toll bridge in the counties enumerated in this section without the express consent of a majority of the governments of the affected counties.

DRAFTER'S NOTE:

Error: Stylistic error in § 4–407(b) of the Transportation Article.

Occurred: Ch. 119, § 3, Acts of 2013.

13–919.

(g) Except while it is operating on a divided highway with two or more lanes in each direction or while it is unloaded, a vehicle registered under this section may not be operated on any highway at a speed of more than 45 miles [an] **PER** hour.

DRAFTER'S NOTE:

Error: Incorrect word usage in § 13–919(g) of the Transportation Article.

Occurred: Ch. 14, § 2, Acts of 1977.

16–205.1.

(b) (2) Except as provided in subsection (c) of this section, if a police officer stops or detains any person who the police officer has reasonable grounds to believe is or has been driving or attempting to drive a motor vehicle while under the influence of alcohol, while impaired by alcohol, while so far impaired by any drug, any combination of drugs, or a combination of one or more drugs and alcohol that the person could not drive a vehicle safely, while impaired by a controlled dangerous substance, in violation of an alcohol restriction, or in violation of § 16–813 of this title, and who is not unconscious or otherwise incapable of refusing to take a test, the police officer shall:

(v) Advise the person of the additional criminal penalties that may be imposed under [§ 27–101(x)] **§ 21–902(G)** of this article on conviction of a violation of § 21–902 of this article if the person knowingly refused to take a test arising out of the same circumstances as the violation; and

(vi) Advise the person that a court shall impose participation in the Ignition Interlock System Program as part of the sentence in accordance with [§ 27–107.1] **§ 21–902.3** of this article.

DRAFTER'S NOTE:

Error: Erroneous cross references in § 16–205.1(b)(2)(v) and (vi) of the Transportation Article.

Occurred: As a result of Ch. 55, Acts of 2017.

16–402.

(a) After the conviction of an individual for a violation of Title 2, Subtitle 5, § 2–209, § 3–211, or § 10–110 of the Criminal Law Article, or of the vehicle laws or regulations

of this State or of any local authority, points shall be assessed against the individual as of the date of violation and as follows:

(3) Speeding in excess of the posted speed limit by 10 miles [an] PER hour or more.....2 points

(16) Speeding in excess of the posted speed limit by 30 miles [an] PER hour or more.....5 points

(24) Speeding in excess of a posted speed limit of 65 miles [an] PER hour by 20 miles [an] PER hour or more..... 5 points

DRAFTER’S NOTE:

Error: Incorrect word usage in § 16–402(a)(3), (16), and (24) of the Transportation Article.

Occurred: Ch. 14, § 2, Acts of 1977; Ch. 493, Acts of 1995.

21–104.

(b) (1) Except in Charles, Worcester, and St. Mary’s counties, or as provided in paragraph (2) of this subsection, a person may not ride an animal or drive an animal–drawn vehicle on:

(i) Any divided highway where the posted maximum speed limit is more than 35 miles [an] PER hour; or

DRAFTER’S NOTE:

Error: Incorrect word usage in § 21–104(b)(1)(i) of the Transportation Article.

Occurred: Ch. 14, § 2, Acts of 1977.

21–301.

(b) On every roadway, except while overtaking and passing another vehicle going in the same direction or when preparing for a lawful left turn, any vehicle going 10 miles [an] PER hour or more below the applicable maximum speed limit or, if any existing conditions reasonably require a speed below that of the applicable maximum, at less than the normal speed of traffic under these conditions, shall be driven in the right–hand lane then available for traffic or as close as practicable to the right–hand curb or edge of the roadway.

DRAFTER’S NOTE:

Error: Incorrect word usage in § 21–301(b) of the Transportation Article.

Occurred: Ch. 14, § 2, Acts of 1977.

21–704.

(a) Unless a person has complied with this section, he may not drive or move on or across any railroad grade crossing any power shovel, derrick, roller, crawler–type tractor, or other equipment or structure that has:

- (1) A normal operating speed of 10 miles [an] **PER** hour or less; or

DRAFTER’S NOTE:

Error: Incorrect word usage in § 21–704(a)(1) of the Transportation Article.

Occurred: Ch. 14, § 2, Acts of 1977.

21–801.1.

(b) Except as otherwise provided in this section, the maximum speed limits are:

- (1) 15 miles [an] **PER** hour in alleys in Baltimore County;
- (2) 30 miles [an] **PER** hour on:
 - (i) All highways in a business district; and
 - (ii) Undivided highways in a residential district;
- (3) 35 miles [an] **PER** hour on divided highways in a residential district;
- (4) 50 miles [an] **PER** hour on undivided highways in other locations; and
- (5) 55 miles [an] **PER** hour on divided highways in other locations.

(e) (1) Notwithstanding any other provision of this subtitle, a maximum speed limit of more than 55 miles [an] **PER** hour may not be established or continued on any highway in this State that is not an interstate highway or an expressway.

(2) Subject to the provisions of paragraph (1) of this subsection, a maximum speed limit of more than 70 miles [an] **PER** hour may not be established on any highway in the State.

DRAFTER’S NOTE:

Error: Incorrect word usage in § 21–801.1(b) and (e) of the Transportation Article.

Occurred: Ch. 14, § 2, Acts of 1977; Ch. 493, Acts of 1995; Ch. 589, Acts of 2006.

21–803.

(a) (1) If, on the basis of an engineering and traffic investigation, a local authority determines that any maximum speed limit specified in this subtitle is greater or less than reasonable or safe under existing conditions on any part of a highway in its jurisdiction, it may establish a reasonable and safe maximum speed limit for that part of the highway, which may:

(ii) Increase the limit in an urban district to not more than 50 miles [an] **PER** hour;

(iv) Decrease the limit outside an urban district to not less than 25 miles [an] **PER** hour.

DRAFTER'S NOTE:

Error: Incorrect word usage in § 21–803(a)(1)(ii) and (iv) of the Transportation Article.

Occurred: Ch. 14, § 2, Acts of 1977.

21–805.

(a) (2) A person may not drive on a highway any vehicle or combination of vehicles that is designed to be and is driven at a speed of 25 miles [an] **PER** hour or less, unless the rearmost vehicle displays a slow moving vehicle emblem in accordance with this section.

(b) Any other vehicle or combination of vehicles, when driven at a speed of 25 miles [an] **PER** hour or less, may display a slow moving vehicle emblem in accordance with this section.

(d) New farm equipment designed or intended by the manufacturer to be driven or moved at a speed of 25 miles [an] **PER** hour or less may not be sold in this State unless it is equipped by the manufacturer with a slow moving vehicle emblem in accordance with this section.

DRAFTER'S NOTE:

Error: Incorrect word usage in § 21–805(a)(2), (b), and (d) of the Transportation Article.

Occurred: Ch. 14, § 2, Acts of 1977.

21–809.

(b) (1) [(viii)] **(IX)** A speed monitoring system in a school zone may operate only Monday through Friday between 6:00 a.m. and 8:00 p.m.

[(ix)] **(X)** 1. A local jurisdiction that authorizes a program of speed monitoring systems shall designate an official or employee to investigate and respond to questions or concerns about the local jurisdiction’s speed monitoring system program.

(6) (i) The Maryland Police Training **AND STANDARDS** Commission, in consultation with the State Highway Administration and other interested stakeholders, shall develop a training program concerning the oversight and administration of a speed monitoring program by a local jurisdiction, including a curriculum of best practices in the State.

(k) (1) On or before December 31 of each year, the Maryland Police Training **AND STANDARDS** Commission shall:

(i) Compile and make publicly available a report for the previous fiscal year on each speed monitoring system program operated by a local jurisdiction under this section; and

(ii) Submit the report to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly.

DRAFTER’S NOTE:

Error: Tabulation error in § 21–809(b)(1)(viii) and (ix) of the Transportation Article; misnomer in § 21–809(b)(6)(i) and (k)(1) of the Transportation Article.

Occurred: Ch. 806, Acts of 2018; misnomers as a result of Ch. 519, Acts of 2016. Corrections by the publisher of the Annotated Code in the 2018 Supplement of the Transportation Article are ratified by this Act.

21–902.

(a) (1) (iv) For the purpose of determining subsequent offender penalties for a violation of this paragraph, a prior conviction under [this subsection or] subsection (b), (c), or (d) of this section, within 5 years before the conviction for a violation of this paragraph, shall be considered a prior conviction.

(d) (1) (iii) For the purpose of determining subsequent offender penalties for a violation of this paragraph, a prior conviction under [this subsection or] subsection (a),

(b), or (c) of this section, within 5 years before the conviction for a violation of this paragraph, shall be considered a prior conviction.

DRAFTER'S NOTE:

Error: Erroneous internal references in § 21–902(a)(1)(iv) and (d)(1)(iii) of the Transportation Article.

Occurred: Ch. 55, Acts of 2017. Ch. 55 was intended as a nonsubstantive reorganization of the penalty provisions of the Maryland Vehicle Law. Among other changes, Ch. 55 transferred the provisions of former § 27–101(k)(2) and (3) of the Transportation Article, respectively, which governed the application of subsequent offender penalties for the offenses of § 21–902(a) (“Driving while under the influence of alcohol or under the influence of alcohol per se”) and § 21–902(d) (“Driving while impaired by controlled dangerous substance”), to the new § 21–902(a)(1)(iv) and (d)(1)(iii) of the Transportation Article, respectively. Under former § 27–101(k)(2) and (3) of the Transportation Article, a prior conviction under § 21–902(b) (“Driving while impaired by alcohol”), (c) (“Driving while impaired by drugs or drugs and alcohol”), or (d) of the Transportation Article “within 5 years of a conviction” under § 21–902(a) of the Transportation Article was considered a violation of § 21–902(a) of the Transportation Article for the purposes of the application of subsequent offender penalties; however, no time limit applied if the prior offense was under § 21–902(a) of the Transportation Article. Likewise, a prior conviction under § 21–902(a), (b), or (c) of the Transportation Article “within 5 years of a conviction” under § 21–902(d) of the Transportation Article was considered a violation of § 21–902(d) of the Transportation Article for the purposes of the application of subsequent offender penalties; however, no time limit applied if the prior offense was under § 21–902(d) of the Transportation Article. As Ch. 55, § 2 expressly states that Ch. 55 is a “... nonsubstantive revision ... [that] may not ... be construed to render any substantive change in the law of the State ...”, § 21–902(a)(1)(iv) and (d)(1)(iii) of the Transportation Article are amended to reflect the application and effect of former § 27–101(k)(2) and (3) of the Transportation Article before October 1, 2017, the effective date of Ch. 55.

21–1205.1.

(a) (1) Notwithstanding any other provision of this title, a person may not ride a bicycle or a motor scooter:

(i) Except as provided in paragraph (2) of this subsection, on any roadway where the posted maximum speed limit is more than 50 miles [an] **PER** hour; or

(2) If a person is lawfully operating a bicycle or a motor scooter on a shoulder adjacent to a roadway for which the posted maximum speed limit is more than 50 miles [an] **PER** hour, the person may enter the roadway only if:

(i) Making or attempting to make a left turn;

(ii) Crossing through an intersection; or

(iii) The shoulder is overlaid with a right turn lane, a merge lane, a bypass lane, or any other marking that breaks the continuity of the shoulder.

(d) Notwithstanding any other provision of this title, a person may not operate an EPAMD on any roadway where there are sidewalks adjacent to the roadway or the posted maximum speed limit is more than 30 miles [an] **PER** hour.

DRAFTER'S NOTE:

Error: Incorrect word usage in § 21–1205.1(a)(1)(i) and (2) and (d) of the Transportation Article.

Occurred: Ch. 14, § 2, Acts of 1977; Ch. 514, Acts of 2014; Ch. 546, Acts of 2002.

21–1415.

(c) A reciprocal agreement under this section may provide for enforcement of toll violations by refusal or suspension of the registration of a motor vehicle in accordance with [§ 27–110 of this article] **§ 21–1414 OF THIS SUBTITLE**.

DRAFTER'S NOTE:

Error: Erroneous cross reference in § 21–1415(c) of the Transportation Article.

Occurred: As a result of Ch. 55, Acts of 2017.

22–224.1.

(b) The headlamp or headlamps on a motorcycle may be of the single–beam or multiple–beam type, but in either event shall comply with the following requirements and limitations:

(1) The headlamp or headlamps on a motorcycle shall be of sufficient intensity to reveal a person or a vehicle at a distance of:

(i) Not less than 100 feet, when the motorcycle is operated at any speed of less than 25 miles [an] **PER** hour;

(ii) Not less than 200 feet, when the motorcycle is operated at a speed of 25 to 34 miles [an] **PER** hour; and

(iii) Not less than 300 feet, when the motorcycle is operated at a speed of 35 miles [an] **PER** hour or more;

DRAFTER'S NOTE:

Error: Incorrect word usage in § 22–224.1(b)(1) of the Transportation Article.

Occurred: Ch. 14, § 2, Acts of 1977.

22–225.

Any motor vehicle may be operated under the conditions specified in § 22–201.1 of this subtitle when equipped with two lighted lamps on its front capable of revealing persons and objects 75 feet ahead instead of lamps required in § 22–222 or § 22–224 of this subtitle, provided, however, that at no time may it be operated at a speed in excess of 20 miles [an] **PER** hour.

DRAFTER'S NOTE:

Error: Incorrect word usage in § 22–225 of the Transportation Article.

Occurred: Ch. 14, § 2, Acts of 1977.

22–302.

(a) Every motor vehicle and combination of vehicles, at all times and under all conditions of loading, on application of the service brake, shall be capable of:

(2) Decelerating to a stop from not more than 20 miles [an] **PER** hour at not less than the feet per second tabulated in subsection (c) of this section for its classification; and

(3) Stopping from a speed of 20 miles [an] **PER** hour in not more than the distance tabulated in subsection (c) of this section for its classification, this distance to be measured from the point at which movement of the service brake pedal or control begins.

DRAFTER'S NOTE:

Error: Incorrect word usage in § 22–302(a)(2) and (3) of the Transportation Article.

Occurred: Ch. 14, § 2, Acts of 1977.

24–102.

(c) (2) (ii) If the State Highway Administration or a local authority imposes a vehicle width restriction under subparagraph (i) of this [subsection] **PARAGRAPH**, it shall place and maintain a sign providing notice of the restriction before the affected location.

DRAFTER'S NOTE:

Error: Stylistic error in § 24–102(c)(2)(ii) of the Transportation Article.

Occurred: Ch. 170, Acts of 2005.

SECTION 2. AND BE IT FURTHER ENACTED, That the Drafter's Notes contained in this Act are not law and may not be considered to have been enacted as part of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That the provisions of this Act are intended solely to correct technical errors in the law and there is no intent to revive or otherwise affect law that is the subject of other acts, whether those acts were signed by the Governor prior to or after the signing of this Act.

SECTION 4. AND BE IT FURTHER ENACTED, That the publishers of the Annotated Code of Maryland, subject to the approval of the Department of Legislative Services, shall make any changes in the text of the Annotated Code necessary to effectuate any termination provision that was enacted by the General Assembly and has taken effect or will take effect prior to October 1, 2019. Any enactment of the 2019 Session of the General Assembly that negates or extends the effect of a previously enacted termination provision shall prevail over the provisions of this section.

SECTION 5. AND BE IT FURTHER ENACTED, That the publishers of the Annotated Code of Maryland, in consultation with and subject to the approval of the Department of Legislative Services, shall make nonsubstantive corrections to codification, style, capitalization, punctuation, grammar, spelling, and any reference rendered incorrect or obsolete by an Act of the General Assembly, with no further action required by the General Assembly. The publishers shall adequately describe any such correction in an editor's note following the section affected.

SECTION 6. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a ye and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.

Enacted under Article II, § 17(b) of the Maryland Constitution, March 27, 2019.