

---

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

Introduced and read first time: February 21, 2005

Assigned to: Rules

---

A BILL ENTITLED

1 AN ACT concerning

2 **Annual Corrective Bill**

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

13 BY repealing and reenacting, with amendments,  
14 Article 2B - Alcoholic Beverages  
15 Section 6-201(d)(3)(i)2.F. and (r)(7)(iii)1. and (9)(iii)1., 9-102(b-3)(2),  
16 9-204.1(a)(8)(ii) and (iii), 10-204(n)(5)(i), and 19-301(a)(2)  
17 Annotated Code of Maryland  
18 (2001 Replacement Volume and 2004 Supplement)

19 BY repealing and reenacting, with amendments,  
20 Article 10 - Legal Officials  
21 Section 40(h)(1)(iv) and (p)(3), (5), and (8)  
22 Annotated Code of Maryland  
23 (2001 Replacement Volume and 2004 Supplement)

24 BY repealing and reenacting, with amendments,  
25 Article 24 - Political Subdivisions - Miscellaneous Provisions  
26 Section 9-304(c)(2)  
27 Annotated Code of Maryland  
28 (2001 Replacement Volume and 2004 Supplement)

- 1 BY repealing and reenacting, with amendments,  
2 Article 25 - County Commissioners  
3 Section 254(h)  
4 Annotated Code of Maryland  
5 (2001 Replacement Volume and 2004 Supplement)
- 6 BY repealing and reenacting, with amendments,  
7 Article 41 - Governor - Executive and Administrative Departments  
8 Section 6-704(b)(1)(v) and 14-904(b)(4)(ii)  
9 Annotated Code of Maryland  
10 (2003 Replacement Volume and 2004 Supplement)
- 11 BY repealing and reenacting, without amendments,  
12 Article 41 - Governor - Executive and Administrative Departments  
13 Section 14-901(d), 14-902, 14-904(g), 14-906(a), 14-908, 14-911(a), and 14-914  
14 Annotated Code of Maryland  
15 (2003 Replacement Volume and 2004 Supplement)
- 16 BY repealing and reenacting, without amendments,  
17 Article 49D - Office for Children, Youth, and Families  
18 Section 4.1(b)(7) and 15(a)(4)  
19 Annotated Code of Maryland  
20 (2003 Replacement Volume and 2004 Supplement)
- 21 BY repealing and reenacting, with amendments,  
22 Article 49D - Office for Children, Youth, and Families  
23 Section 12(b)(2)(iii) and (g)  
24 Annotated Code of Maryland  
25 (2003 Replacement Volume and 2004 Supplement)  
26 (As enacted by Chapter 536 of the Acts of the General Assembly of 2004)
- 27 BY repealing and reenacting, without amendments,  
28 Article 70B - Department of Aging  
29 Section 4B(a)(7)  
30 Annotated Code of Maryland  
31 (2003 Replacement Volume and 2004 Supplement)
- 32 BY repealing and reenacting, with amendments,  
33 Article 83A - Department of Business and Economic Development  
34 Section 5-103(a) and (b), 5-1403(b), 5-1405(d)(1)(iii), 5-1407(b), and the  
35 subtitle designation "Subtitle 2A. Maryland Technology Development"

1 Corporation" in Title 5  
2 Annotated Code of Maryland  
3 (2003 Replacement Volume and 2004 Supplement)

4 BY repealing and reenacting, without amendments,  
5 Article 83A - Department of Business and Economic Development  
6 Section 5-2A-01  
7 Annotated Code of Maryland  
8 (2003 Replacement Volume and 2004 Supplement)

9 BY repealing and reenacting, without amendments,  
10 Article 88A - Department of Human Resources  
11 Section 129A(b)(1)(v)  
12 Annotated Code of Maryland  
13 (2003 Replacement Volume and 2004 Supplement)

14 BY repealing and reenacting, with amendments,  
15 Article - Agriculture  
16 Section 2-301(a), 2-304.1(c), 2-509(b)(4) and (7), 2-510(k), 2-514(d), and  
17 8-704.2(c)  
18 Annotated Code of Maryland  
19 (1999 Replacement Volume and 2004 Supplement)

20 BY repealing and reenacting, with amendments,  
21 Article - Business Occupations and Professions  
22 Section 10-206(b)(4), 11-603(c)(1), and 17-523(a)  
23 Annotated Code of Maryland  
24 (2004 Replacement Volume and 2004 Supplement)

25 BY repealing and reenacting, with amendments,  
26 Article - Business Occupations and Professions  
27 Section 11-603(b)  
28 Annotated Code of Maryland  
29 (2004 Replacement Volume and 2004 Supplement)  
30 (As enacted by Chapter 520 of the Acts of the General Assembly of 2004)

31 BY repealing and reenacting, with amendments,  
32 Article - Business Occupations and Professions  
33 Section 17-315(b)(3)  
34 Annotated Code of Maryland  
35 (2004 Replacement Volume and 2004 Supplement)

1 (As enacted by Chapter 541 of the Acts of the General Assembly of 2004)

2 BY repealing and reenacting, with amendments,  
3 Article - Business Regulation  
4 Section 7-306(a) and 12-207(d)  
5 Annotated Code of Maryland  
6 (1998 Replacement Volume and 2004 Supplement)

7 BY repealing and reenacting, with amendments,  
8 Article - Business Regulation  
9 Section 10-312(3)  
10 Annotated Code of Maryland  
11 (1998 Replacement Volume and 2004 Supplement)  
12 (As enacted by Chapter 380 of the Acts of the General Assembly of 2004)

13 BY repealing and reenacting, with amendments,  
14 Article - Business Regulation  
15 Section 11-515(e)(6)  
16 Annotated Code of Maryland  
17 (1998 Replacement Volume and 2004 Supplement)  
18 (As enacted by Chapter 97 of the Acts of the General Assembly of 2004)

19 BY repealing and reenacting, with amendments,  
20 Article - Commercial Law  
21 Section 7-103(c)  
22 Annotated Code of Maryland  
23 (2002 Replacement Volume and 2004 Supplement)  
24 (As enacted by Chapter 95 of the Acts of the General Assembly of 2004)

25 BY repealing and reenacting, with amendments,  
26 Article - Commercial Law  
27 Section 9-102(a)(67)  
28 Annotated Code of Maryland  
29 (2002 Replacement Volume and 2004 Supplement)

30 BY repealing and reenacting, with amendments,  
31 Article - Commercial Law  
32 Section 13-301(14)(xvii) through (xxi), 22-209(d), and 22-802(e)  
33 Annotated Code of Maryland  
34 (2000 Replacement Volume and 2004 Supplement)

35 BY repealing and reenacting, with amendments,

1 Article - Corporations and Associations  
2 Section 1-203(a)  
3 Annotated Code of Maryland  
4 (1999 Replacement Volume and 2004 Supplement)  
5 (As enacted by Chapter 430 of the Acts of the General Assembly of 2004)

6 BY repealing and reenacting, with amendments,  
7 Article - Corporations and Associations  
8 Section 2-502(b)(2) and 7-201(5)  
9 Annotated Code of Maryland  
10 (1999 Replacement Volume and 2004 Supplement)

11 BY repealing and reenacting, with amendments,  
12 Article - Correctional Services  
13 Section 11-706(e)(4)(ii)  
14 Annotated Code of Maryland  
15 (1999 Volume and 2004 Supplement)  
16 (As enacted by Chapter 370 of the Acts of the General Assembly of 2004)

17 BY repealing and reenacting, with amendments,  
18 Article - Courts and Judicial Proceedings  
19 Section 3-8C-06(e)  
20 Annotated Code of Maryland  
21 (2002 Replacement Volume and 2004 Supplement)  
22 (As enacted by Chapter 551 of the Acts of the General Assembly of 2004)

23 BY repealing and reenacting, with amendments,  
24 Article - Courts and Judicial Proceedings  
25 Section 7-202(c) and (e), 10-402(c)(1)(ii)2., (4)(i), and (5) and (e)(2)(i) and (3),  
26 and 12-302(c)(3)(i) and (vi)  
27 Annotated Code of Maryland  
28 (2002 Replacement Volume and 2004 Supplement)

29 BY repealing and reenacting, without amendments,  
30 Article - Courts and Judicial Proceedings  
31 Section 7-507(c)(3)(i)2.  
32 Annotated Code of Maryland  
33 (2002 Replacement Volume and 2004 Supplement)

34 BY repealing and reenacting, with amendments,  
35 Article - Criminal Law  
36 Section 3-802(b)(3), 5-802(a)(1) and (b), 8-301(e), and 9-609(a)(2)  
37 Annotated Code of Maryland

- 1 (2002 Volume and 2004 Supplement)
- 2 BY repealing and reenacting, with amendments,  
3 Article - Criminal Law  
4 Section 3-805.1(a)(4) and (b)(6)(i) and (ii)  
5 Annotated Code of Maryland  
6 (2002 Volume and 2004 Supplement)  
7 (As enacted by Chapter 470 of the Acts of the General Assembly of 2004)
- 8 BY repealing and reenacting, with amendments,  
9 Article - Criminal Law  
10 Section 7-104(g)(3)  
11 Annotated Code of Maryland  
12 (2002 Volume and 2004 Supplement)  
13 (As enacted by Chapter 130 of the Acts of the General Assembly of 2004)
- 14 BY repealing and reenacting, with amendments,  
15 Article - Criminal Law  
16 Section 13-2435(d)(2)  
17 Annotated Code of Maryland  
18 (2002 Volume and 2004 Supplement)  
19 (As enacted by Chapter 215 of the Acts of the General Assembly of 2004)
- 20 BY repealing and reenacting, with amendments,  
21 Article - Criminal Procedure  
22 Section 2-101(c)(6), 2-102(c)(1), 2-103(a), 2-104(c)(1), 4-101(e)(3),  
23 5-202(c)(2)(ii) and (e)(3), 6-229(c)(2), and 11-912(a)  
24 Annotated Code of Maryland  
25 (2001 Volume and 2004 Supplement)
- 26 BY repealing and reenacting, without amendments,  
27 Article - Criminal Procedure  
28 Section 10-236(c)(1)(ii), (2), and (4)  
29 Annotated Code of Maryland  
30 (2001 Volume and 2004 Supplement)
- 31 BY repealing and reenacting, with amendments,  
32 Article - Education  
33 Section 4-107(a)(1), 4-122(a)(1), 4-205(c)(2), 5-603(c), 7-103(a)(3) and (e)(1),  
34 8-406(c)(2), 12-102(c)(1), 12-104(e)(2), 14-104(b) and (p)(3)(ii),  
35 16-106(b)(1)(i), 18-603(b), 18-1001, 18-1008(b)(2)(i), 18-1909(b)(2)(i),  
36 18-2001, 18-2601(g), and 23-301  
37 Annotated Code of Maryland

- 1 (2004 Replacement Volume and 2004 Supplement)
- 2 BY repealing and reenacting, with amendments,  
3 Article - Education  
4 Section 15-106.3(c)(2)  
5 Annotated Code of Maryland  
6 (2004 Replacement Volume and 2004 Supplement)  
7 (As enacted by Chapter 224 of the Acts of the General Assembly of 2004)
- 8 BY repealing and reenacting, with amendments,  
9 Article - Election Law  
10 Section 1-101(e) and 3-204(b)(2)  
11 Annotated Code of Maryland  
12 (2003 Volume and 2004 Supplement)
- 13 BY repealing and reenacting, with amendments,  
14 Article - Environment  
15 Section 4-103(e)(1), 4-105(a)(2)(ii)5. and (iii), 7-406(f)(3), and 9-1601(cc)(2)  
16 Annotated Code of Maryland  
17 (1996 Replacement Volume and 2004 Supplement)
- 18 BY repealing and reenacting, with amendments,  
19 Article - Environment  
20 Section 9-1601(ff)(1)(i)  
21 Annotated Code of Maryland  
22 (1996 Replacement Volume and 2004 Supplement)  
23 (As enacted by Chapter 428 of the Acts of the General Assembly of 2004)
- 24 BY repealing and reenacting, with amendments,  
25 Article - Estates and Trusts  
26 Section 15-112(a)  
27 Annotated Code of Maryland  
28 (2001 Replacement Volume and 2004 Supplement)
- 29 BY repealing and reenacting, without amendments,  
30 Article - Family Law  
31 Section 2-404(b)  
32 Annotated Code of Maryland  
33 (1999 Replacement Volume and 2004 Supplement)
- 34 BY repealing and reenacting, with amendments,  
35 Article - Family Law  
36 Section 2-404(e), 5-525(g), and 5-525.1(d)(2)

- 1 Annotated Code of Maryland  
2 (1999 Replacement Volume and 2004 Supplement)
- 3 BY repealing and reenacting, with amendments,  
4 Article - Family Law  
5 Section 9.5-204(b)(1)  
6 Annotated Code of Maryland  
7 (1999 Replacement Volume and 2004 Supplement)  
8 (As enacted by Chapter 502 of the Acts of the General Assembly of 2004)
- 9 BY repealing and reenacting, with amendments,  
10 Article - Health - General  
11 Section 4-305(c)(1), 10-1503, 15-114(a), 15-127(a), 17-214(f)(2)(ii), and  
12 21-323.1(a)  
13 Annotated Code of Maryland  
14 (2000 Replacement Volume and 2004 Supplement)
- 15 BY repealing and reenacting, with amendments,  
16 Article - Health - General  
17 Section 5-615(c)(1)(i)1.  
18 Annotated Code of Maryland  
19 (2000 Replacement Volume and 2004 Supplement)  
20 (As enacted by Chapter 356 of the Acts of the General Assembly of 2004)
- 21 BY repealing and reenacting, with amendments,  
22 Article - Health - General  
23 Section 10-409  
24 Annotated Code of Maryland  
25 (2000 Replacement Volume and 2004 Supplement)  
26 (As enacted by Chapter 430 of the Acts of the General Assembly of 2004)
- 27 BY repealing and reenacting, without amendments,  
28 Article - Health - General  
29 Section 13-1403(a)(2)(v) and 24-1203(b)(2)(xvi)  
30 Annotated Code of Maryland  
31 (2000 Replacement Volume and 2004 Supplement)
- 32 BY repealing and reenacting, with amendments,  
33 Article - Health - General  
34 Section 15-141(m)(1)(i)  
35 Annotated Code of Maryland  
36 (2000 Replacement Volume and 2004 Supplement)  
37 (As enacted by Chapter 4 of the Acts of the General Assembly of the 2004 Special



- 1 Session)
- 2 BY repealing and reenacting, with amendments,  
3 Article - Health - General  
4 Section 20-1006(a)  
5 Annotated Code of Maryland  
6 (2000 Replacement Volume and 2004 Supplement)  
7 (As enacted by Chapter 319 of the Acts of the General Assembly of 2004)
- 8 BY repealing and reenacting, without amendments,  
9 Article - Health Occupations  
10 Section 2-202(a)(7)(ii)  
11 Annotated Code of Maryland  
12 (2000 Replacement Volume and 2004 Supplement)
- 13 BY repealing and reenacting, with amendments,  
14 Article - Health Occupations  
15 Section 8-6A-02(b)(4), 14-5A-04(b)(2), and 14-5B-04(b)(2)  
16 Annotated Code of Maryland  
17 (2000 Replacement Volume and 2004 Supplement)
- 18 BY repealing and reenacting, with amendments,  
19 Article - Insurance  
20 Section 4-405(b)(9)(iv), (b), and (c) and 10-133  
21 Annotated Code of Maryland  
22 (2003 Replacement Volume and 2004 Supplement)  
23 (As enacted by Chapter 5 of the Acts of the General Assembly of the 2004 Special  
24 Session)
- 25 BY repealing and reenacting, with amendments,  
26 Article - Insurance  
27 Section 10-101(f) and 10-121(b)(2)(ii)  
28 Annotated Code of Maryland  
29 (2003 Replacement Volume and 2004 Supplement)
- 30 BY repealing and reenacting, with amendments,  
31 Article - Insurance  
32 Section 10-408(e)(2)  
33 Annotated Code of Maryland  
34 (2003 Replacement Volume and 2004 Supplement)  
35 (As enacted by Chapters 290 and 291 of the Acts of the General Assembly of  
36 2004)
- 37 BY repealing and reenacting, with amendments,

- 1 Article - Insurance  
2 Section 15-909(b)(2), 15-10A-03(c)(2), and 24-207(b)(1)  
3 Annotated Code of Maryland  
4 (2002 Replacement Volume and 2004 Supplement)
- 5 BY repealing and reenacting, with amendments,  
6 Article - Insurance  
7 Section 27-501(d)(3)  
8 Annotated Code of Maryland  
9 (2002 Replacement Volume and 2004 Supplement)  
10 (As enacted by Chapter 464 of the Acts of the General Assembly of 2004)
- 11 BY repealing and reenacting, without amendments,  
12 Article - Labor and Employment  
13 Section 3-707(d)  
14 Annotated Code of Maryland  
15 (1999 Replacement Volume and 2004 Supplement)
- 16 BY repealing and reenacting, with amendments,  
17 Article - Labor and Employment  
18 Section 11-403(a)(2) and (6)  
19 Annotated Code of Maryland  
20 (1999 Replacement Volume and 2004 Supplement)
- 21 BY repealing and reenacting, with amendments,  
22 Article - Natural Resources  
23 Section 1-501(c), 4-215(a), 4-604(f)(3), 4-701(i)(2) and (j-1)(1), 4-711(a),  
24 4-745(c)(4) and (d)(2)(i), 5-209(b), 5-212.1(a)(2) and (h), 8-723(e),  
25 8-729(a), and 8-2102(d)(5)  
26 Annotated Code of Maryland  
27 (2000 Replacement Volume and 2004 Supplement)
- 28 BY repealing and reenacting, without amendments,  
29 Article - Natural Resources  
30 Section 4-208(g), 4-209(g), 5-103(e)(7), 5-212(g), 5-212.1(g)(1), 5-215(c),  
31 5-908(d), 5-908.1(d), 5-909(c), 8-723(f), 10-209(g), and 10-301(n)(7)(i)  
32 Annotated Code of Maryland  
33 (2000 Replacement Volume and 2004 Supplement)
- 34 BY repealing and reenacting, with amendments,  
35 Article - Natural Resources  
36 Section 8-743(b)(2)  
37 Annotated Code of Maryland

1 (2000 Replacement Volume and 2004 Supplement)  
2 (As enacted by Chapter 458, Section 1, of the Acts of the General Assembly of  
3 2004)

4 BY repealing and reenacting, with amendments,  
5 Article - Natural Resources  
6 Section 8-1808(c)(1)(vii)  
7 Annotated Code of Maryland  
8 (2000 Replacement Volume and 2004 Supplement)  
9 (As enacted by Chapter 526 of the Acts of the General Assembly of 2004)

10 BY repealing and reenacting, without amendments,  
11 Article - Public Safety  
12 Section 12-1003(b)(5)  
13 Annotated Code of Maryland  
14 (2003 Volume and 2004 Supplement)

15 BY repealing and reenacting, with amendments,  
16 Article - Public Utility Companies  
17 Section 7-505(b)(3)  
18 Annotated Code of Maryland  
19 (1998 Volume and 2004 Supplement)

20 BY repealing and reenacting, with amendments,  
21 Article - Real Property  
22 Section 11-109(c)(4)(ii), (5)(ii), (8)(iii)1., and (12), 11-137(a), 13-101(b), and  
23 14-128(a)(1)  
24 Annotated Code of Maryland  
25 (2003 Replacement Volume and 2004 Supplement)

26 BY repealing and reenacting, without amendments,  
27 Article - State Finance and Procurement  
28 Section 3-901(d) and (e), 3-902(a), 3-905, 3-906(a), and 13-107.1(c)(1) and (k)  
29 Annotated Code of Maryland  
30 (2001 Replacement Volume and 2004 Supplement)

31 BY repealing and reenacting, with amendments,  
32 Article - State Finance and Procurement  
33 Section 3-903, 3-1002(a), 7-208(c), 7-209(e)(3)(ii), 7-314(m) and (q)(4)(i),  
34 8-112(e)(3), and 11-203(e)(3)(ii)2. and (7)(iii)  
35 Annotated Code of Maryland  
36 (2001 Replacement Volume and 2004 Supplement)

37 BY repealing and reenacting, with amendments,

1 Article - State Government  
2 Section 6-308  
3 Annotated Code of Maryland  
4 (2004 Replacement Volume)  
5 (As enacted by Chapter 5 of the Acts of the General Assembly of the 2004 Special  
6 Session)

7 BY repealing and reenacting, with amendments,  
8 Article - State Government  
9 Section 8-403(b), 9-2603(b)(1)(i) and (ii), 12-101(a)(10), 12-301(2), and  
10 15-516(b)(3)(ii) and (4)  
11 Annotated Code of Maryland  
12 (1999 Replacement Volume and 2004 Supplement)

13 BY adding to  
14 Article - State Government  
15 Section 10-630  
16 Annotated Code of Maryland  
17 (1999 Replacement Volume and 2004 Supplement)

18 BY repealing and reenacting, with amendments,  
19 Article - State Personnel and Pensions  
20 Section 11-208(b), 11-305(a)(1), 21-123(f)(1)(i), 21-305.3(d)(2), 22-220(a),  
21 24-401.1(h)(5)(i), 26-201(a)(12), 26-401.1(h)(5)(i), 31-2A-03(c), and  
22 34-101(g)  
23 Annotated Code of Maryland  
24 (2004 Replacement Volume)

25 BY repealing and reenacting, without amendments,  
26 Article - Tax - General  
27 Section 7-203(b)(2)(v)  
28 Annotated Code of Maryland  
29 (1997 Replacement Volume and 2004 Supplement)

30 BY repealing and reenacting, with amendments,  
31 Article - Tax - Property  
32 Section 9-105(a)(6)(i)2.  
33 Annotated Code of Maryland  
34 (2001 Replacement Volume and 2004 Supplement)  
35 (As enacted by Chapter 501 of the Acts of the General Assembly of 2004)

36 BY repealing and reenacting, with amendments,  
37 Article - Transportation

1 Section 2-103.1(g), 4-101(i)(1), and 8-627(b)  
2 Annotated Code of Maryland  
3 (2001 Replacement Volume and 2004 Supplement)

4 BY repealing and reenacting, without amendments,  
5 Article - Transportation  
6 Section 2-103.3(c)(4), (e)(1), (g), and (h) and 2-606(b)(1)(viii)  
7 Annotated Code of Maryland  
8 (2001 Replacement Volume and 2004 Supplement)

9 BY repealing and reenacting, with amendments,  
10 Article - Transportation  
11 Section 13-618(d)(4), 13-815(a)(4) and (6) and (g), 13-920(a)(1),  
12 16-205.1(a)(1)(i), 16-815(a)(1), 23-201(a), 23-301(a), 27-101(k)(2) and (3),  
13 and 27-107(a)  
14 Annotated Code of Maryland  
15 (2002 Replacement Volume and 2004 Supplement)

16 BY repealing and reenacting, with amendments,  
17 Chapter 246 of the Acts of the General Assembly of 2000, as amended by  
18 Chapter 160 of the Acts of the General Assembly of 2004  
19 Section 1(3)

20 BY repealing and reenacting, with amendments,  
21 Chapter 5 of the Acts of the General Assembly of the 2004 Special Session  
22 Section 3, 4, and 15

23 BY repealing  
24 Chapter 5 of the Acts of the General Assembly of the 2004 Special Session  
25 Section 11 and 12

26 BY repealing and reenacting, with amendments,  
27 The Public Local Laws of Frederick County  
28 Section 2-1-1  
29 Article 11 - Public Local Laws of Maryland  
30 (2004 Edition, as amended)

31 BY repealing and reenacting, with amendments,  
32 Article - Natural Resources  
33 Section 8-743(b)(2)  
34 Annotated Code of Maryland  
35 (2000 Replacement Volume and 2004 Supplement)  
36 (As enacted by Chapter 458, Section 2, of the Acts of the General Assembly of  
37 2004)

- 1 BY repealing
- 2 Article 41 - Governor - Executive and Administrative Departments
- 3 Title designation "Title 20. Statewide Cultural Programs"
- 4 Annotated Code of Maryland
- 5 (2003 Replacement Volume and 2004 Supplement)
  
- 6 BY repealing and reenacting, with amendments,
- 7 Article - Transportation
- 8 Section 11-127.1, 11-127.2, 11-178, 13-939.1(1), and 16-205.1(a)(1)(ii)
- 9 Annotated Code of Maryland
- 10 (2002 Replacement Volume and 2004 Supplement)
  
- 11 BY repealing and reenacting, with amendments,
- 12 Article - Courts and Judicial Proceedings
- 13 Section 10-307(g)
- 14 Annotated Code of Maryland
- 15 (2002 Replacement Volume and 2004 Supplement)
  
- 16 BY repealing and reenacting, with amendments,
- 17 Article - Natural Resources
- 18 Section 8-738(b)(2)
- 19 Annotated Code of Maryland
- 20 (2000 Replacement Volume and 2004 Supplement)
  
- 21 BY repealing and reenacting, with amendments,
- 22 Article 2B - Alcoholic Beverages
- 23 Section 1-201(f)(7), 7.5-106(a) and (b), 16-404(b) and (c), and 16-407
- 24 Annotated Code of Maryland
- 25 (2001 Replacement Volume and 2004 Supplement)
  
- 26 BY repealing and reenacting, with amendments,
- 27 Article - Criminal Procedure
- 28 Section 2-101(c)(13)
- 29 Annotated Code of Maryland
- 30 (2001 Volume and 2004 Supplement)
  
- 31 BY repealing and reenacting, with amendments,
- 32 Article - Health - General
- 33 Section 18-213(a)(3)(ix) and 18-213.2(a)(8)(ix)
- 34 Annotated Code of Maryland
- 35 (2000 Replacement Volume and 2004 Supplement)
  
- 36 BY repealing and reenacting, with amendments,

- 1 Article - Public Safety
- 2 Section 3-101(e)(1)(ii)12. and 3-201(e)(2)(i)
- 3 Annotated Code of Maryland
- 4 (2003 Volume and 2004 Supplement)
  
- 5 BY repealing and reenacting, with amendments,
- 6 Article - State Personnel and Pensions
- 7 Section 8-301(b) and 26-201(a)(2)
- 8 Annotated Code of Maryland
- 9 (2004 Replacement Volume)
  
- 10 BY repealing and reenacting, with amendments,
- 11 Article - Tax - General
- 12 Section 2-107(a), (b), (c)(2), and (d)(2)
- 13 Annotated Code of Maryland
- 14 (2004 Replacement Volume)
  
- 15 BY repealing and reenacting, with amendments,
- 16 Article 41 - Governor - Executive and Administrative Departments
- 17 Section 6-704(b)(1)(i)
- 18 Annotated Code of Maryland
- 19 (2003 Replacement Volume and 2004 Supplement)
  
- 20 BY repealing and reenacting, with amendments,
- 21 Article - Health - General
- 22 Section 10-806(c)(4)(ii) and 13-506(a)(2)(iii)
- 23 Annotated Code of Maryland
- 24 (2000 Replacement Volume and 2004 Supplement)
  
- 25 BY repealing and reenacting, with amendments,
- 26 Article - State Finance and Procurement
- 27 Section 14-101(b)(3) and 14-109(a)(3)
- 28 Annotated Code of Maryland
- 29 (2001 Replacement Volume and 2004 Supplement)
  
- 30 BY repealing and reenacting, with amendments,
- 31 Article 41 - Governor - Executive and Administrative Departments
- 32 Section 6-7A-01(j)
- 33 Annotated Code of Maryland
- 34 (2003 Replacement Volume and 2004 Supplement)
  
- 35 BY repealing and reenacting, with amendments,
- 36 Article - Health - General

1 Section 15-103(b)(9)(i)1., 17-214(f)(2)(i), 19-308(b)(2)(iii), and 19-360(a)(2)(ii)  
 2 and (3)  
 3 Annotated Code of Maryland  
 4 (2000 Replacement Volume and 2004 Supplement)

5 BY repealing and reenacting, with amendments,  
 6 Article - Insurance  
 7 Section 15-901(f), 15-912(c)(10), 15-926, and 15-1003(b) and (d)(2)(i)  
 8 Annotated Code of Maryland  
 9 (2002 Replacement Volume and 2004 Supplement)

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

12 **Article 2B - Alcoholic Beverages**

13 6-201.

14 (d) (3) (i) 2. "Arena" means a facility that is a:  
 15 F. Concert facility; OR

16 DRAFTER'S NOTE:

17 Error: Omitted word in Article 2B, § 6-201(d)(3)(i)2F.

18 Occurred: Ch. 481, Acts of 1993.

19 (r) (7) (iii) 1. The Board may issue a [Class B,] CLASS B beer, wine and  
 20 liquor license, known as an "arena license", for the sale of beer, wine, and liquor by  
 21 the drink and by the bottle within the arena, from one or more outlets, for  
 22 consumption on the licensed premises.

23 DRAFTER'S NOTE:

24 Error: Extraneous comma in Article 2B, § 6-201(r)(7)(iii)1.

25 Occurred: Ch. 837, Acts of 1973.

26 (9) (iii) 1. Notwithstanding the provisions of § 9-217(e)(1) of this  
 27 article, the Board may issue a [Class B/ECF,] CLASS B/ECF beer, wine and liquor  
 28 license, to be known as an "educational conference facility" license, to the University  
 29 of Maryland, University College Center of Adult Education.

30 DRAFTER'S NOTE:

31 Error: Extraneous comma in Article 2B, § 6-201(r)(9)(iii)1.

32 Occurred: Ch. 663, Acts of 1980.



1 9-102.

2 (b-3) (2) In Anne Arundel County, a Class A or Class D beer, beer and light  
3 wine, or beer, wine and liquor license may not be issued except by way of renewal to  
4 a person, corporation, or limited liability company holding an alcoholic beverage  
5 license in any other state or IN Washington, D.C.

6 DRAFTER'S NOTE:

7 Error: Omitted word in Article 2B, § 9-102(b-3)(2).

8 Occurred: Ch. 517, Acts of 1976.

9 9-204.1.

10 (a) (8) The 39th alcoholic beverages district, as defined in subsection (d) of  
11 this section, except for the following areas:

12 (ii) The portion of ward 21, [precinct 1] PRECINCT 1, east of Greene  
13 Street;

14 (iii) The portion of ward 22, [precinct 1] PRECINCT 1, west of South  
15 Howard Street;

16 DRAFTER'S NOTE:

17 Error: Omitted commas in Article 2B, § 9-204.1(a)(8)(ii) and (iii).

18 Occurred: Ch. 461, Acts of 1992.

19 10-204.

20 (n) (5) (i) Prior to the beginning of each fiscal year, the Board shall  
21 submit an annual budget to the COUNTY Council and County Executive for review.

22 DRAFTER'S NOTE:

23 Error: Omitted word in Article 2B, § 10-204(n)(5)(i).

24 Occurred: Ch. 5, Acts of 1993.

25 19-301.

26 (a) (2) In this [section] SECTION, "unless authorized" means the possession  
27 and presentation of a written consent by the owner of the property.

28 DRAFTER'S NOTE:

29 Error: Omitted comma in Article 2B, § 19-301(a)(2).

30 Occurred: Ch. 3, Acts of 1994.

**Article 10 - Legal Officials**

1  
2 40.

3 (h) (1) (iv) In addition to the compensation provided for in this section, the  
4 State's [Attorney] ATTORNEY, for the operation of his office and the performance of  
5 his duties, shall be entitled to a reasonable expense allowance which shall be as  
6 provided for in the Cecil County budget.

7 DRAFTER'S NOTE:

8 Error: Omitted comma in Article 10, § 40 (h)(1)(iv).

9 Occurred: Ch. 31, Acts of 1986.

10 (p) In Montgomery County:

11 (3) The State's Attorney may appoint the number of administrative  
12 assistants, special investigators, clerks, administrative aides, [para-legal]  
13 PARALEGAL interns, and other personnel as approved from time to time by the  
14 County Council.

15 (5) All deputy State's Attorneys, assistant State's Attorneys,  
16 administrative assistants, special investigators, clerks, administrative aides,  
17 [para-legal] PARALEGAL interns, and other personnel of the office of the State's  
18 Attorney are subject to his exclusive control and are entitled to all benefits provided  
19 for county employees under the merit system.

20 (8) The deputy State's [Attorneys,] ATTORNEYS and assistant State's  
21 Attorneys shall perform any work directed by the State's Attorney or authorized by  
22 law, and under his direction, may present cases to the grand jury, sign indictments  
23 and criminal informations, and perform other acts and duties relating to the grand  
24 jury and the operation of the office of the State's Attorney as are necessary and  
25 proper.

26 DRAFTER'S NOTE:

27 Error: Misspellings in Article 10, § 40(p)(3) and (5); extraneous comma in  
28 Article 10, § 40(p)(8).

29 Occurred: Ch. 812, Acts of 1974.

**Article 24 - Political Subdivisions - Miscellaneous Provisions**

30  
31 9-304.

32 (c) (2) Notwithstanding subsection (b)(1) OF THIS SECTION, a code county in  
33 the Western Maryland class may set a hotel rental tax rate that is greater than 3%,  
34 but not exceeding 8%, with the unanimous consent of the county commissioners for  
35 the county.

## 1 DRAFTER'S NOTE:

2 Error: Stylistic error in Article 24, § 9-304(c)(2).

3 Occurred: Chapter 42, Acts of 2003.

4

**Article 25 - County Commissioners**

5 254.

6 (h) In Frederick County, in addition to the authority provided in this section,  
7 the Frederick County Commissioners may establish, maintain, and operate a nursing  
8 or convalescent home or homes and any other facilities and services for the proper  
9 care and treatment of THE aged, convalescent, and chronically ill.

## 10 DRAFTER'S NOTE:

11 Error: Omitted article in Article 25, § 254(h).

12 Occurred: Ch. 294, Acts of 2004.

13

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

14 6-704.

15 (b) The Committee shall consist of the following:

16 (1) 1 representative each from:

17 (v) The MARYLAND Commission ON DISABILITIES;

## 18 DRAFTER'S NOTE:

19 Error: Misnomer in Article 41, § 6-704(b)(1)(v).

20 Occurred: As a result of Ch. 425, Acts of 2004. Pursuant to Ch. 425,  
21 Section 8, the former reference to the "Maryland Advisory Council for  
22 Individuals with Disabilities" was partially corrected by the publisher of  
23 the Annotated Code in the 2004 Supplement of the 2003 Replacement  
24 Volume and the partial correction is validated by this Act.

25 14-901.

26 (d) "Secretary" means the Secretary of Disabilities.

## 27 DRAFTER'S NOTE:

28 Error: Misnomer in Article 41, § 14-901(d).

29 Occurred: As a result of Ch. 425, Acts of 2004. Pursuant to Ch. 425,  
30 Section 8, the former references to the "Director" and the "Office for

1 Individuals with Disabilities" were corrected by the publisher of the  
2 Annotated Code in the 2004 Supplement of the 2003 Replacement Volume  
3 and are validated by this Act.

4 14-902.

5 There is an Assistive Technology Guaranteed Loan Program administered by  
6 the Department of Disabilities.

7 DRAFTER'S NOTE:

8 Error: Misnomer in Article 41, § 14-902.

9 Occurred: As a result of Ch. 425, Acts of 2004. Pursuant to Ch. 425,  
10 Section 8, the former reference to the "Office for Individuals with  
11 Disabilities" was corrected by the publisher of the Annotated Code in the  
12 2004 Supplement of the 2003 Replacement Volume and is validated by this  
13 Act.

14 14-904.

15 (b) The Board of Directors shall consist of:

16 (4) Eight individuals appointed by the Governor, confirmed by the  
17 Senate of Maryland, as follows:

18 (ii) Four members of the public with disabilities or who assist  
19 individuals with disabilities at least one of whom must be a member of the  
20 MARYLAND Commission ON DISABILITIES.

21 (g) The Department of Disabilities shall staff the Board.

22 DRAFTER'S NOTE:

23 Error: Misnomer in Article 41, § 14-904(b)(4)(ii) and (g).

24 Occurred: As a result of Ch. 425, Acts of 2004. Pursuant to Ch. 425,  
25 Section 8, the former reference in Article 41, § 14-904(b)(4)(ii) to the  
26 "Advisory Council for Individuals with Disabilities" was partially  
27 corrected, and the former reference in Article 41, § 14-904(g) to the "Office  
28 for Individuals with Disabilities" was corrected, by the publisher of the  
29 Annotated Code in the 2004 Supplement of the 2003 Replacement Volume  
30 and the partial correction and the correction are validated by this Act.

31 14-906.

32 (a) There is an Assistive Technology Guaranteed Loan Fund in the  
33 Department of Disabilities.

34 DRAFTER'S NOTE:

1 Error: Misnomer in Article 41, § 14-906(a).

2 Occurred: As a result of Ch. 425, Acts of 2004. Pursuant to Ch. 425,  
3 Section 8, the former reference to the "Office for Individuals with  
4 Disabilities" was corrected by the publisher of the Annotated Code in the  
5 2004 Supplement of the 2003 Replacement Volume and is validated by this  
6 Act.

7 14-908.

8 Annually, the State Treasurer shall report to the Board and the Secretary as to:

9 (1) The status of the money invested under this subtitle;

10 (2) The market value of the assets in the Fund as of the date of the  
11 report; and

12 (3) The interest received from investments during the period covered by  
13 the report.

14 DRAFTER'S NOTE:

15 Error: Misnomer in Article 41, § 14-908.

16 Occurred: As a result of Ch. 425, Acts of 2004. Pursuant to Ch. 425,  
17 Section 8, the former reference to the "Director" was corrected by the  
18 publisher of the Annotated Code in the 2004 Supplement of the 2003  
19 Replacement Volume and is validated by this Act.

20 14-911.

21 (a) To apply for financial assistance, an applicant shall submit to the Board an  
22 application on the form provided by the Secretary.

23 DRAFTER'S NOTE:

24 Error: Misnomer in Article 41, § 14-911(a).

25 Occurred: As a result of Ch. 425, Acts of 2004. Pursuant to Ch. 425,  
26 Section 8, the former reference to the "Director" was corrected by the  
27 publisher of the Annotated Code in the 2004 Supplement of the 2003  
28 Replacement Volume and is validated by this Act.

29 14-914.

30 The Board, through the Secretary, shall report annually to the Governor and,  
31 subject to § 2-1246 of the State Government Article, to the General Assembly, on or  
32 before January 1 of each year on the number, amount, and use of loans and subsidies  
33 for which the Program has provided guarantees of loans and subsidies of loan interest  
34 under this subtitle.

## 1 DRAFTER'S NOTE:

2 Error: Misnomer in Article 41, § 14-914.

3 Occurred: As a result of Ch. 425, Acts of 2004. Pursuant to Ch. 425,  
4 Section 8, the former reference to the "Director" was corrected by the  
5 publisher of the Annotated Code in the 2004 Supplement of the 2003  
6 Replacement Volume and is validated by this Act.

7 **Article 49D - Office for Children, Youth, and Families**

8 4.1.

9 (b) The Subcabinet for Children, Youth, and Families consists of:

10 (7) The Secretary of Disabilities; and

## 11 DRAFTER'S NOTE:

12 Error: Obsolete language in Article 49D, § 4.1(b)(7).

13 Occurred: As a result of Ch. 425, Acts of 2004. Pursuant to Ch. 425,  
14 Section 8, the former reference to "Director of the Office for Individuals  
15 with Disabilities" was corrected by the publisher of the Annotated Code in  
16 the 2004 Supplement of the 2003 Replacement Volume and is validated by  
17 this Act.

18 12.

19 (b) (2) The system for outcomes evaluation shall be planned to allow the  
20 State to:

21 (iii) Effectively allocate its resources, based on demonstrated  
22 [outcomes.] OUTCOMES;

23 [(g)] (F) Subject to § 2-1246 of the State Government Article, on or before  
24 September 1, 2004, the lead agency and the cooperating departments shall submit a  
25 joint report to the General Assembly on the plan for the system for outcomes  
26 evaluation and the cost of testing and implementing the system for outcomes  
27 evaluation for out-of-home placement of children.

## 28 DRAFTER'S NOTE:

29 Error: Incorrect punctuation in Article 49D, § 12(b)(2)(iii); erroneous  
30 subsection designation in Article 49D, § 12(g).

31 Occurred: Ch. 536, Acts of 2004. Correction by the publisher of the  
32 Annotated Code in the 2004 Supplement of the 2003 Replacement Volume  
33 is ratified by this Act.

1 15.

2 (a) The members of the Council are:

3 (4) The Secretary of Disabilities, as a nonvoting, ex officio member;

4 DRAFTER'S NOTE:

5 Error: Obsolete language in Article 49D, § 15(a)(4).

6 Occurred: As a result of Ch. 425, Acts of 2004. Pursuant to Ch. 425,  
7 Section 8, the former reference to "Director of the Governor's Office for  
8 Individuals with Disabilities" was corrected by the publisher of the  
9 Annotated Code in the 2004 Supplement of the 2003 Replacement Volume  
10 and is validated by this Act.

11 **Article 70B - Department of Aging**

12 4B.

13 (a) The Interagency Committee on Aging Services consists of the following  
14 members:

15 (7) The Secretary of Disabilities;

16 DRAFTER'S NOTE:

17 Error: Misnomer in Article 70B, § 4B(a)(7).

18 Occurred: As a result of Ch. 425, Acts of 2004. Pursuant to Ch. 425,  
19 Section 8, the former reference "Director of the Governor's Office for  
20 Individuals with Disabilities" was corrected by the publisher of the  
21 Annotated Code in the 2004 Supplement of the 2003 Replacement Volume  
22 and is validated by this Act.

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

24 5-103.

25 (a) Notwithstanding any other provision of law [except for § 5-701 of this  
26 article], the Secretary may transfer funds among any of the various accounts within  
27 the Department or subject to its control, that are used to provide financial support of  
28 any kind.

29 (b) Notwithstanding any other provision of law [except for § 5-701 of this  
30 article], the Secretary may transfer funds from any of the accounts described in  
31 subsection (a) of this section to the Economic Development Opportunities Program  
32 Fund established under § 7-314 of the State Finance and Procurement Article.

33 DRAFTER'S NOTE:

1 Error: Obsolete cross-reference in Article 83A, § 5-103(a) and (b).

2 Occurred: As a result of Ch. 304, § 3, Acts of 1999.

3 Subtitle 2A. Maryland [Science, Engineering, and] Technology Development  
4 Corporation.

5 5-2A-01.

6 In this subtitle, "Corporation" means the Maryland Technology Development  
7 Corporation.

8 DRAFTER'S NOTE:

9 Error: Erroneous subtitle designation immediately preceding Article 83A,  
10 § 5-2A-01.

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

12 5-1403.

13 (b) [The] EXCEPT AS PROVIDED IN § 5-1405(H)(3) OF THIS SUBTITLE, THE  
14 Authority shall, with respect to financial assistance exceeding \$2,500,000:

15 (1) Evaluate requests for financial assistance that have been first  
16 evaluated by staff of the Department;

17 (2) Determine whether to approve requests for financial assistance; and

18 (3) Set the terms and conditions for financial assistance.

19 DRAFTER'S NOTE:

20 Error: Omitted cross-reference in Article 83A, § 5-1403(b).

21 Occurred: Ch. 216, Acts of 2004.

22 5-1405.

23 (d) To be eligible for financial assistance from the Fund, an applicant must be:

24 (1) An individual, private business, not for profit entity, or local  
25 government which:

26 (iii) Submits to the Department an application containing:

27 1. Any information the Department or the Authority deems  
28 necessary in evaluating the request for financial assistance; and

29 2. For a qualified distressed county project, the following, in  
30 form and content acceptable to the [Department;] DEPARTMENT:



1 A. A marketing plan designed to market the project to  
2 prospective businesses;

3 B. A statement of planned marketing expenditures as a  
4 percent of the total financial assistance amount requested; and

5 C. A plan for the project that is consistent with the county's  
6 local strategic economic development plan as to the location and type of project; or

7 DRAFTER'S NOTE:

8 Error: Incorrect punctuation in Article 83A, § 5-1405(d)(1)(iii)2.

9 Occurred: Ch. 216, Acts of 2004.

10 5-1407.

11 (b) (1) Except as provided in paragraph (2) of this subsection, to qualify for a  
12 grant, a local government shall provide at least an equal and matching grant of funds  
13 to the local economic development fund.

14 (2) A local government that is, or is located in, a qualified distressed  
15 county, as defined in [§ 5-701] § 5-1401 of this [title] SUBTITLE, may qualify for a  
16 grant under this section by providing a grant to the local economic development fund  
17 in an amount equal to at least 50% of the grant made under this section.

18 DRAFTER'S NOTE:

19 Error: Obsolete cross-reference in Article 83A, § 5-1407(b)(2).

20 Occurred: As a result of Ch. 304, § 3, Acts of 1999.

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

22 129A.

23 (b) (1) The Council shall consist of the following members, appointed by the  
24 Governor:

25 (v) One representative from the Department of Disabilities;

26 DRAFTER'S NOTE:

27 Error: Misnomer in Article 88A, § 129A(b)(1)(v).

28 Occurred: As a result of Ch. 425, Acts of 2004. Pursuant to Ch. 425,  
29 Section 8, the former reference "Governor's Office for Individuals with  
30 Disabilities" was corrected by the publisher of the Annotated Code in the  
31 2004 Supplement of the 2003 Replacement Volume and is validated by this  
32 Act.

**Article - Agriculture**

1  
2 2-301.

3 (a) In this [subtitle,] SUBTITLE the following words have the meanings  
4 indicated.

5 DRAFTER'S NOTE:

6 Error: Extraneous comma in § 2-301(a) of the Agriculture Article.

7 Occurred: Ch. 6, Acts of the First Special Session of 1973.

8 2-304.1.

9 (c) The Board may reject an application, or suspend or revoke the license for  
10 failure to maintain the facility properly. The rejection, suspension, or revocation shall  
11 be in accordance with the procedures set out in § 2-311 OF THIS SUBTITLE.

12 DRAFTER'S NOTE:

13 Error: Stylistic error in § 2-304.1(c) of the Agriculture Article.

14 Occurred: Ch. 208, Acts of 1977.

15 2-509.

16 (b) (4) (I) Within 120 days after the receipt of the petition, the county  
17 governing body shall render a decision as to whether or not the petition shall be  
18 recommended to the Foundation for approval.

19 [(i)] (II) If the county governing body decides to recommend  
20 approval of the petition, it shall so notify the Foundation and forward to the  
21 Foundation the petition and all accompanying materials, including the  
22 recommendations of the advisory board and county planning and zoning body.

23 [(ii)] (III) If the county governing body recommends denial of the  
24 petition, it shall so inform the Foundation and the petitioners.

25 (7) (I) If the Foundation approves the petition, the agricultural district  
26 shall be established by an ordinance of the county governing body, however, the  
27 establishment shall not take effect until all landowners in the proposed district have  
28 executed and recorded along with land records an agreement with the Foundation  
29 stipulating that for a period of five years from the establishment of the agricultural  
30 district, the landowner agrees to keep his land in agricultural use and has the right to  
31 offer to sell an easement for development rights on his land to the Foundation under  
32 the provisions of this subtitle.

33 [(i)] (II) In the event of severe economic hardship the Foundation,  
34 with the concurrence of the county governing body, may release the landowner's  
35 property from the agricultural district. Any person aggrieved by a decision of the

1 Foundation regarding a determination of severe economic hardship is entitled to  
2 judicial review.

3                               [(ii)]     (III)     Nothing in this section shall preclude the landowner from  
4 selling his property.

5 DRAFTER'S NOTE:

6     Error: Stylistic errors in § 2-509(b)(4) and (7) of the Agriculture Article.

7     Occurred: Ch. 883, Acts of 1977.

8 2-510.

9     (k)     (1)     At the time of settlement of the purchase of an easement, the  
10 landowner and the Foundation may agree upon and establish a schedule of payment  
11 such that the landowner may receive consideration for the easement in a lump sum,  
12 in installments over a period of up to 10 years from the date of settlement, or as  
13 provided in an installment purchase agreement under paragraph [(2)] (3) of this  
14 subsection. At the time of settlement, the Foundation shall notify in writing each  
15 landowner who sells an agricultural easement to the Foundation of the schedule of  
16 anticipated ranges of interest rates to be paid on any unpaid balance after the date of  
17 settlement.

18                   [(1)]     (2)     (i)     If a schedule of installments is agreed upon, the  
19 Comptroller shall retain in the Maryland Agricultural Land Preservation Fund an  
20 amount of money sufficient to pay the landowner according to the schedule.

21                               (ii)     The landowner shall receive interest on any unpaid balance  
22 remaining after the date of settlement. The State Treasurer shall invest the unpaid  
23 balance remaining after the date of settlement in a certificate or certificates of  
24 deposit at the maximum interest rate offered by a bank servicing the State or at such  
25 other institutions which pay the maximum interest rates payable on time and savings  
26 deposits at federally insured commercial banks selected by the Treasurer, to mature  
27 in accordance with an agreed upon schedule of installments as provided in this  
28 section. Any interest earned on the invested unpaid balance shall be paid with the  
29 installment when due, less 1/4 of 1 percent.

30                   [(2)]     (3)     (i)     The Foundation may pay the landowner according to a  
31 schedule, up to a maximum term of 15 years, established in an installment purchase  
32 agreement.

33                               (ii)     The installment purchase agreement shall:

34   1.     Require that the Foundation make annual equal  
35 payments to the landowner of interest on the outstanding balance of the purchase  
36 price;

37   2.     Require that the Foundation pay the landowner the  
38 remainder of the purchase price at the end of the term;

1 3. State the total amount of money the Foundation will pay  
2 the landowner, the interest rate, and the terms of the agreement; and

3 4. Require that the easement be recorded within 30 days of  
4 settlement.

5 DRAFTER'S NOTE:

6 Error: Stylistic error in § 2-510(k) of the Agriculture Article.

7 Occurred: Ch. 883, Acts of 1977.

8 2-514.

9 (d) An easement may be terminated only with the approval of the governing  
10 body of the county containing the subject land. In deciding whether to approve the  
11 request for termination, the county governing body shall receive the recommendation  
12 of the county agricultural preservation advisory board established under § 2-504.1 of  
13 this subtitle. The decision of the county governing body shall be made after the public  
14 hearing required in [paragraph (c)] SUBSECTION (C) OF THIS SECTION. The county  
15 governing body shall notify the Foundation of its decision within 30 days after the  
16 conclusion of the public hearing required in [paragraph (c)] SUBSECTION (C) OF THIS  
17 SECTION.

18 DRAFTER'S NOTE:

19 Error: Stylistic errors in § 2-514(d) of the Agriculture Article.

20 Occurred: Ch. 883, Acts of 1977.

21 8-704.2.

22 (c) The purpose of the Project is to establish a [cost-share] COST SHARE  
23 matching program to assist in the transportation of poultry or livestock manure from  
24 farms:

25 (1) To be used on land with soil having the capacity to hold additional  
26 phosphorus; or

27 (2) To be used in environmentally acceptable ways other than land  
28 application.

29 DRAFTER'S NOTE:

30 Error: Extraneous hyphen in § 8-704.2(c) of the Agriculture Article.

31 Occurred: Ch. 324, Acts of 1998.

1 **Article - Business Occupations and Professions**

2 10-206.

3 (b) This section does not apply to:

4 (4) [(i)] an officer of a corporation, an employee designated by an officer  
5 of a corporation, a partner in a business operated as a partnership or an employee  
6 designated by a partner, a member of a limited liability company or an employee  
7 designated by a member of a limited liability company, or an employee designated by  
8 the owner of a business operated as a sole proprietorship while the officer, partner,  
9 member, or employee is appearing on behalf of the corporation, partnership, limited  
10 liability company, or business in a civil action in the District Court of Maryland if [the  
11 action]:

12 (I) THE ACTION:

13 1. is based on a claim that does not exceed the amount set  
14 under § 4-405 of the Courts Article for a small claim action; and

15 2. is not based on an assignment, to the corporation,  
16 partnership, or business, of the claim of another;

17 (ii) [an] IN THE CASE OF A DESIGNATED employee [designated  
18 under subparagraph (i) of this paragraph], THE EMPLOYEE:

19 1. [may not be] IS NOT assigned on a full-time basis to  
20 appear in the District Court on behalf of the corporation, partnership, or business;

21 2. [shall provide] PROVIDES the court a power of attorney  
22 sworn to by the employer that certifies that the designated employee is an authorized  
23 agent of the corporation, partnership, limited liability company, or sole proprietorship  
24 and may bind the corporation, partnership, limited liability company, or sole  
25 proprietorship on matters pending before the court; and

26 3. [may not be] IS NOT an individual who is disbarred or  
27 suspended as a lawyer in any state; AND

28 (iii) [a] THE corporation, partnership, limited liability company, or  
29 business [may] DOES not contract, hire, or employ another business entity to provide  
30 appearance services [under subparagraph (i) of this paragraph]; or

31 DRAFTER'S NOTE:

32 Error: Stylistic errors in § 10-206(b)(4) of the Business Occupations and  
33 Professions Article.

34 Occurred: Ch. 281, Acts of 1992.

1 11-603.

2 (b) A conflict of [interests] INTEREST exists in situations in [which;] WHICH:

3 (1) except as provided in subsection (c) of this section, a licensed pilot  
4 solicits or accepts financial or other consideration of value from a tugboat, towing,  
5 vessel-assist, vessel-owning, or vessel-chartering company, or an agent or officer of  
6 that company, or from any other entity providing services in the port community;

7 (2) a licensed pilot takes any action with the intent to benefit or harm  
8 the economic interests of a tugboat, towing, vessel-assist, vessel-owning, or  
9 vessel-chartering company, or any other entity providing services in the port  
10 community;

11 (3) a licensed pilot allows personal financial interests to conflict with  
12 professional responsibilities;

13 (4) a licensed pilot solicits business for a tugboat, towing, vessel-assist,  
14 vessel-owning, or vessel-chartering company, or any other entity providing services  
15 in the port community; or

16 (5) a licensed pilot discourages a person from engaging the services of a  
17 tugboat, towing, vessel-assist, vessel-owning, or vessel-chartering company, or any  
18 other entity providing services in the port community.

19 (c) A conflict of interest does not exist in situations in which:

20 (1) remuneration IS paid to the pilot through the Association in return  
21 for the provision of pilotage services; or

22 DRAFTER'S NOTE:

23 Error: Incorrect word and incorrect punctuation in § 11-603(b) of the  
24 Business Occupations and Professions Article; omitted word in §  
25 11-603(c)(1) of the Business Occupations and Professions Article.

26 Occurred: Ch. 520, Acts of 2004. Correction of the punctuation error in §  
27 11-603(b) by the publisher of the Annotated Code in the 2004 Supplement  
28 of the Business Occupations and professions Article is ratified by this Act.

29 17-315.

30 (b) (3) The requirement of paragraph (2)(iii) of this [subsection,]  
31 SUBSECTION does not apply to a licensee who provides real estate brokerage services  
32 solely in connection with nonresidential real estate.

33 DRAFTER'S NOTE:

34 Error: Extraneous comma in § 17-315(b)(3) of the Business Occupations  
35 and Professions Article.

1 Occurred: Ch. 541, Acts of 2004. Correction by the publisher of the  
2 Annotated Code in the 2004 Supplement of the Business Occupations and  
3 Professions Article is ratified by this Act.

4 17-523.

5 (a) Each real estate contract submitted to a party by a real estate broker, an  
6 associate real estate broker, or a real estate salesperson for use in the sale of  
7 residential property used as a dwelling place for one or two single-family units shall  
8 contain, in the manner provided under subsection (b) of this section, the following  
9 statement, as required by [§ 14-120] § 14-117 of the Real Property Article:

10 "Section 14-104 of the Real Property Article of the Annotated Code of Maryland  
11 provides that, unless otherwise negotiated in the contract or provided by local law, the  
12 cost of any recordation tax or any State or local transfer tax shall be shared equally  
13 between the buyer and seller."

14 DRAFTER'S NOTE:

15 Error: Obsolete cross-reference in § 17-523(a) of the Business  
16 Occupations and Professions Article.

17 Occurred: Ch. 756, Acts of 1989.

18 **Article - Business Regulation**

19 7-306.

20 (a) (1) A license issued on or before September 30, [1997] 1997, expires on  
21 December 31 of the year in which it was issued.

22 (2) A license issued on or after October 1, [1997] 1997, expires on  
23 December 31 in each odd-numbered year after December 31, 1997.

24 DRAFTER'S NOTE:

25 Error: Omitted commas in § 7-306(a)(1) and (2) of the Business  
26 Regulation Article.

27 Occurred: Ch. 22, Acts of 1997.

28 10-312.

29 Each producer, refiner, or wholesaler of motor fuel who supplies motor fuel to  
30 retail service station dealers:

31 (3) [(2)] during periods of shortage:

32 (i) shall apportion uniformly and equitably all gasoline and special  
33 fuel to all retail service station dealers supplied; and

1 (ii) may not discriminate among retail service station dealers  
2 supplied in their allotments.

3 DRAFTER'S NOTE:

4 Error: Extraneous number in § 10-312(3) of the Business Regulation  
5 Article.

6 Occurred: Ch. 380, Acts of 2004. Correction by the publisher of the  
7 Annotated Code in the 2004 Supplement of the Business Regulation Article  
8 is ratified by this Act.

9 11-515.

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

12 (6) [allocated] ALLOCATE 0.75% of each multiple mutuel pool paid to the  
13 Maryland Million, Ltd., for purses of Maryland Million races.

14 DRAFTER'S NOTE:

15 Error: Grammatical error in § 11-515(e)(6) of the Business Regulation  
16 Article.

17 Occurred: Ch. 97, Acts of 2004. Correction by the publisher of the  
18 Annotated Code in the 2004 Supplement of the Business Regulation Article  
19 is ratified by this Act.

20 12-207.

21 (d) The Secretary may require a licensee to submit a national and State  
22 criminal history RECORDS check with the renewal application.

23 DRAFTER'S NOTE:

24 Error: Misnomer in § 12-207(d) of the Business Regulation Article.

25 Occurred: Ch. 227, Acts of 1997.

26 **Article - Commercial Law**

27 7-103.

28 (c) This title modifies, limits, and supersedes the federal Electronic  
29 Signatures in Global and National Commerce Act (15 U.S.C. § 7001, [et.] ET seq.) but  
30 does not modify, limit, or supersede § 101(c) of that Act (15 U.S.C. § 7001(c)) or  
31 authorize electronic delivery of any of the notices described in § 103(b) of that Act (15  
32 U.S.C. § 7003(b)).

33 DRAFTER'S NOTE:



1 Error: Extraneous period in § 7-103(c) of the Commercial Law Article.

2 Occurred: Ch. 95, Acts of 2004. Correction by the publisher of the  
3 Annotated Code in the 2004 Supplement of the Commercial Law Article is  
4 ratified by this Act.

5 9-102.

6 (a) In this title:

7 (67) "Proposal" means a record authenticated by a secured party which  
8 includes the terms on which the secured party is willing to accept collateral in full or  
9 partial satisfaction of the obligation it secures pursuant to [§ 9-620, § 9-621, and §  
10 9-622] §§ 9-620, 9-621, AND 9-622 OF THIS ARTICLE.

11 DRAFTER'S NOTE:

12 Error: Stylistic error in § 9-102(a)(67) of the Commercial Law Article.

13 Occurred: Ch. 282, Acts of 1999.

14 13-301.

15 Unfair or deceptive trade practices include any:

16 (14) Violation of a provision of:

17 [(xvii) Title 10, Subtitle 8 of the Real Property Article;]

18 [(xviii) (XVII) Title 14, Subtitle 25 of this article, the Hearing Aid  
19 Sales Act;

20 [(xix) (XVIII) Title 14, Subtitle 26 of this article, the Maryland  
21 Door-to-Door Solicitations Act;

22 [(xx) (XIX) Title 14, Subtitle 31 of this article, the Maryland  
23 Household Goods Movers Act; or

24 [(xxi) (XX) Title 14, Subtitle 32 of this article, the Maryland  
25 Telephone Consumer Protection Act; or

26 DRAFTER'S NOTE:

27 Error: Obsolete cross-reference in § 13-301(14)(xvii) of the Commercial  
28 Law Article.

29 Occurred: As a result of Ch. 470, Acts of 2001.

1 22-209.

2 (d) A term in a [mass market] MASS-MARKET license that limits the duration  
3 of the license shall be conspicuous.

4 DRAFTER'S NOTE:

5 Error: Omitted hyphen in § 22-209(d) of the Commercial Law Article.

6 Occurred: Ch. 11, Acts of 2000.

7 22-802.

8 (e) Unless a contrary intention clearly appears, an expression such as  
9 ["cancellation,"] "CANCELLATION", "rescission", or the like may not be construed as a  
10 renunciation or discharge of a claim in damages for an antecedent breach.

11 DRAFTER'S NOTE:

12 Error: Misplaced punctuation in § 22-802(e) of the Commercial Law  
13 Article.

14 Occurred: Ch. 11, Acts of 2000.

15 **Article - Corporations and Associations**

16 1-203.

17 (a) In addition to any organization and capitalization fee required under §  
18 1-204 of this article, subject to subsection (c) of this section, the Department shall  
19 collect [the] the fees specified in the subsection of this section.

20 DRAFTER'S NOTE:

21 Error: Redundant word in § 1-203(a) of the Corporations and  
22 Associations Article.

23 Occurred: Ch. 430, Acts of 2004. Correction by the publisher of the  
24 Annotated Code in the 2004 Supplement of the Corporations and  
25 Associations Article is ratified by this Act.

26 2-502.

27 (b) (2) A request for a special meeting shall state the purpose of the meeting  
28 and the matters proposed to be acted on at [it] THE MEETING.

29 DRAFTER'S NOTE:

30 Error: Incorrect word usage in § 2-502(b)(2) of the Corporations and  
31 Associations Article.

1 Occurred: Ch. 311, Acts of 1975.

2 7-201.

3 This subtitle does not apply to:

4 (5) A foreign nonstock corporation whose only activity in this State is  
5 supplying police, fire, rescue, or emergency services personnel on a nonprofit basis to  
6 assist in an area covered by a state of emergency declared by the Governor under  
7 [Article 16A, § 6A of the Code] § 14-107 OF THE PUBLIC SAFETY ARTICLE.

8 DRAFTER'S NOTE:

9 Error: Obsolete cross-reference in § 7-201 of the Corporations and  
10 Associations Article.

11 Occurred: Ch. 22, Acts of 2004.

12 **Article - Correctional Services**

13 11-706.

14 (e) (4) An individual is eligible for the pretrial release program if the  
15 individual:

16 (ii) has no other charges for a felony or a violation of a crime of  
17 violence as defined in § 14-101 of the Criminal Law Article pending in any  
18 [jurisdiction] JURISDICTION; and

19 DRAFTER'S NOTE:

20 Error: Misspelling in § 11-706(e)(4)(ii) of the Correctional Services  
21 Article.

22 Occurred: Ch. 370, Acts of 2004. Correction by the publisher of the  
23 Annotated Code in the 2004 Supplement of the Correctional Services  
24 Article is ratified by this Act.

25 **Article - Courts and Judicial Proceedings**

26 3-8C-06.

27 (e) Cases under [the] THIS subtitle are eligible for family support services as  
28 provided in the Maryland Rules.

29 DRAFTER'S NOTE:

30 Error: Stylistic error in § 3-8C-06(e) of the Courts and Judicial  
31 Proceedings Article.

32 Occurred: Ch. 551, Acts of 2004. Correction by the publisher of the

1 Annotated Code in the 2004 Supplement of the Courts and Judicial  
2 Proceedings Article is ratified by this Act.

3 7-202.

4 (c) The clerk is entitled to a reasonable fee for performing any other service  
5 that is not enumerated in this subtitle or in §§ 3-601 through 3-603 of the Real  
6 Property Article [of the Code].

7 (e) If a party in a proceeding feels aggrieved by any fee permitted under this  
8 subtitle or by §§ 3-601 through 3-603 of the Real Property Article [of the Code], the  
9 party may request a judge of that circuit court to determine the reasonableness of the  
10 fee.

11 DRAFTER'S NOTE:

12 Error: Extraneous language in § 7-202(c) and (e) of the Courts and  
13 Judicial Proceedings Article.

14 Occurred: Ch. 684, Acts of 1974.

15 7-507.

16 (c) (3) In Cecil County:

17 (i) In any year in which the amount provided to the court library  
18 under subsection (b) of this section and the attorney appearance fees under § 7-204 of  
19 this title:

20 2. Exceeds the amount necessary for library maintenance,  
21 the Cecil County Bar and Library Association, Inc., may transfer the excess money to  
22 the Cecil County Bar Foundation, Inc., to be used for charitable and educational  
23 purposes in accordance with the bylaws of the Foundation; and

24 DRAFTER'S NOTE:

25 Error: Omitted comma in § 7-507(c)(3)(i)2 of the Courts and Judicial  
26 Proceedings Article.

27 Occurred: Ch. 26, Acts of 2004. Correction by the publisher of the  
28 Annotated Code in the 2004 Supplement of the Courts and Judicial  
29 Proceedings Article is validated by this Act.

30 10-402.

31 (c) (1) (ii) 2. The order shall set forth the period of time during which the  
32 provision of the information, facilities, or technical assistance is authorized and  
33 specify the information, facilities, or technical assistance required. A provider of wire  
34 or electronic communication service, its officers, employees, or agents, or landlord,  
35 custodian, or other specified person may not disclose the existence of any interception  
36 or surveillance or the device used to accomplish the interception or surveillance with

1 respect to which the person has been furnished an order under this subparagraph,  
2 except as may otherwise be required by legal process and then only after prior  
3 notification to the judge who granted the order, if appropriate, or the State's Attorney  
4 of the county where the device was used. Any such [disclosure,] DISCLOSURE shall  
5 render the person liable for compensatory damages. No cause of action shall lie in any  
6 court against any provider of wire or electronic communication service, its officers,  
7 employees, or agents, landlord, custodian, or other specified person for providing  
8 information, facilities, or assistance in accordance with the terms of a court order  
9 under this subtitle.

10 (4) (i) It is lawful under this subtitle for a law enforcement officer in  
11 the course of the officer's regular duty to intercept an oral [communication,]  
12 COMMUNICATION if:

13 1. The law enforcement officer initially lawfully detained a  
14 vehicle during a criminal investigation or for a traffic violation;

15 2. The law enforcement officer is a party to the oral  
16 communication;

17 3. The law enforcement officer has been identified as a law  
18 enforcement officer to the other parties to the oral communication prior to any  
19 interception;

20 4. The law enforcement officer informs all other parties to  
21 the communication of the interception at the beginning of the communication; and

22 5. The oral interception is being made as part of a video tape  
23 recording.

24 (5) It is lawful under this subtitle for an officer, employee, or agent of a  
25 governmental emergency communications center to intercept a wire, oral, or  
26 electronic communication where the officer, [agent] AGENT, or employee is a party to  
27 a conversation concerning an emergency.

28 (e) (2) If an offense is a first offense under paragraph (1) of this subsection  
29 and is not for a tortious or illegal purpose or for purposes of direct or indirect  
30 commercial advantage or private commercial gain, and the wire or electronic  
31 communication with respect to which the offense occurred is a radio communication  
32 that is not scrambled or encrypted, and:

33 (i) The communication is not the radio portion of a cellular  
34 telephone communication, a public land mobile radio service communication, or a  
35 paging service communication, the offender is subject to a fine of not more than  
36 \$1,000 or imprisonment for not more than [one] 1 year, or both; or

37 (3) Unless the conduct is for the purpose of direct or indirect commercial  
38 advantage or private financial gain, conduct which would otherwise be an offense  
39 under this subsection is not an offense under this [subsection,] SUBSECTION if the

1 conduct consists of or relates to the interception of a satellite transmission that is not  
2 encrypted or scrambled and that is transmitted:

3 DRAFTER'S NOTE:

4 Error: Extraneous commas in § 10-402(c)(1)(ii)2 and (4)(i) and (e)(3);  
5 omitted comma in § 10-402(c)(5); stylistic error in § 10-402(e)(2)(i) of the  
6 Courts and Judicial Proceedings Article.

7 Occurred: Ch. 692, Acts of 1977; Ch. 607, Acts of 1988; Ch. 140, Acts of  
8 1992.

9 12-302.

10 (c) In a criminal case, the State may appeal as provided in this subsection.

11 (3) (i) In a case involving a crime of violence as defined in § 14-101 of  
12 the Criminal Law Article, and in cases under §§ 5-602 through 5-609 and §§ 5-612  
13 through 5-614 of the Criminal Law Article, the State may appeal from a decision of a  
14 trial court that excludes evidence offered by the State or requires the return of  
15 property alleged to have been seized in violation of the Constitution of the United  
16 States, the [Constitution of] Maryland CONSTITUTION, or the Maryland Declaration  
17 of Rights.

18 (vi) If the State loses the appeal, the jurisdiction shall pay all the  
19 costs related to the appeal, including reasonable [attorney] ATTORNEY'S fees  
20 incurred by the defendant as a result of the appeal.

21 DRAFTER'S NOTE:

22 Error: Stylistic error in § 12-302(c)(3)(i); incorrect word usage in §  
23 12-302(c)(3)(vi) of the Courts and Judicial Proceedings Article.

24 Occurred: Ch. 493, Acts of 1982.

25 **Article - Criminal Law**

26 3-802.

27 (b) The provisions of this section do not apply to conduct that is:

28 (3) [is] authorized, required, or protected by local, State, or federal law.

29 DRAFTER'S NOTE:

30 Error: Extraneous language in § 3-802(b)(3) of the Criminal Law Article.

31 Occurred: Ch. 313, Acts of 2003.

1 3-805.1.

2 (a) (4) "Electronic mail service provider" means any person, including an  
3 Internet service provider, that is an intermediary in sending and receiving electronic  
4 mail and that provides to the public the ability to send or receive electronic mail to or  
5 from an electronic mail account or [online] ON-LINE user account.

6 (b) A person may not conspire to or knowingly:

7 (6) violate item (1), (2), (3), (4), or (5) of this subsection by providing or  
8 selecting addresses to which a message was transmitted, knowing that:

9 (i) the electronic mail addresses of the recipients were obtained  
10 using an automated means from an Internet website or proprietary [online] ON-LINE  
11 service operated by another person; and

12 (ii) the website or [online] ON-LINE service included, at the time  
13 the addresses were obtained, a notice stating that the operator of the website or  
14 [online] ON-LINE service will not transfer addresses maintained by the website or  
15 [online] ON-LINE service to any other party for the purposes of initiating or enabling  
16 others to initiate electronic mail messages; or

17 DRAFTER'S NOTE:

18 Error: Omitted hyphens in § 3-805.1(a)(4) and (b)(6)(i) and (ii) of the  
19 Criminal Law Article.

20 Occurred: Ch. 470, Acts of 2004. Correction by the publisher of the  
21 Annotated Code in the 2004 Supplement of the Criminal Law Article is  
22 ratified by this Act.

23 5-802.

24 (a) (1) Notwithstanding any other law, a law enforcement officer of the  
25 Maryland Transportation Authority Police, [the Maryland Port Administration  
26 Police, or] a municipal [corporation] CORPORATION, or A county may investigate and  
27 otherwise enforce this title and Title 12 of the Criminal Procedure Article throughout  
28 the State without any limitation as to jurisdiction and to the same extent as a law  
29 enforcement officer of the Department of State Police.

30 (b) If action is taken under the authority granted in this section, notification  
31 of an investigation or enforcement action shall be made:

32 (1) in a municipal corporation, to the chief of police or designee of the  
33 chief of police;

34 (2) in a county that has a county police department, to the chief of police  
35 or designee of the chief of police;

1 (3) in a county without a police department, to the sheriff or designee of  
2 the sheriff;

3 (4) in Baltimore City, to the Police Commissioner or the Police  
4 Commissioner's designee; and

5 (5) on property owned, leased, or operated by or under the control of the  
6 Maryland Transportation Authority, the Maryland Aviation Administration, or the  
7 Maryland Port Administration, to the [respective] chief of police OF THE MARYLAND  
8 TRANSPORTATION AUTHORITY or the chief's designee.

9 DRAFTER'S NOTE:

10 Error: Obsolete terminology in § 5-802(a)(1) and (b)(5) of the Criminal  
11 Law Article.

12 Occurred: As a result of Ch. 514, Acts of 1998.

13 7-104.

14 (g) (3) A person convicted of theft of property or services with a value of less  
15 than [\$100,] \$100 is guilty of a misdemeanor and:

16 (i) is subject to imprisonment not exceeding 90 days or a fine not  
17 exceeding \$500 or both; and

18 (ii) shall restore the property taken to the owner or pay the owner  
19 the value of the property or services.

20 DRAFTER'S NOTE:

21 Error: Extraneous comma in § 7-104(g)(3) of the Criminal Law Article.

22 Occurred: Ch. 130, Acts of 2004. Correction by the publisher of the  
23 Annotated Code in the 2004 Supplement of the Criminal Law Article is  
24 ratified by this Act.

25 8-301.

26 (e) A person [who violates] DESCRIBED IN SUBSECTION (D)(2) OR (4) OF this  
27 section is subject to § 5-106(b) of the Courts Article.

28 DRAFTER'S NOTE:

29 Error: Incorrect word usage and erroneous internal reference in §  
30 8-301(e) of the Criminal Law Article.

31 Occurred: As a result of Ch. 509, Acts of 2002.



1 9-609.

2 (a) This section does not apply:

3 (2) in Frederick County if the Board of County Commissioners of  
4 Frederick County adopts regulations under Article 25, [§ 211A] § 221A of the Code  
5 providing for the registration of alarm system contractors and alarm users, the  
6 issuance of civil citations, and penalties for a violation of a regulation; or

7 DRAFTER'S NOTE:

8 Error: Erroneous cross-reference in § 9-609(a)(2) of the Criminal Law  
9 Article.

10 Occurred: Ch. 26, Acts of 2002.

11 13-2435.

12 (d) (2) Subject to [paragraphs (3) and (4)] PARAGRAPH (3) of this subsection,  
13 a person subject to this subsection shall deposit with a financial institution  
14 designated by the gaming commission, to the credit of the fund, the gross profits from  
15 each tip jar that the person operates.

16 DRAFTER'S NOTE:

17 Error: Erroneous internal reference in § 13-2435(d)(2) of the Criminal  
18 Law Article.

19 Occurred: Ch. 215, Acts of 2004. Correction by the publisher of the  
20 Annotated Code in the 2004 Supplement of the Criminal Law Article is  
21 ratified by this Act.

22 **Article - Criminal Procedure**

23 2-101.

24 (c) "Police officer" means a person who in an official capacity is authorized by  
25 law to make arrests and is:

26 (6) a member of the Maryland Transit Administration Police Force[,  
27 Maryland Port Administration Police Force,] or Maryland Transportation Authority  
28 Police Force;

29 2-102.

30 (c) (1) A police officer who acts under the authority granted by this section  
31 shall notify the following persons of an investigation or enforcement action:

32 (i) 1. the chief of police, if any, or chief's designee, when in a  
33 municipal corporation;

- 1                                        2.            the Police Commissioner or Police Commissioner's  
2 designee, when in Baltimore City;
- 3                                        3.            the chief of police or chief's designee, when in a county  
4 with a county police department, except Baltimore City;
- 5                                        4.            the sheriff or sheriff's designee, when in a county without  
6 a county police department;
- 7                                        5.            the Secretary of Natural Resources or Secretary's  
8 designee, when on property owned, leased, operated by, or under the control of the  
9 Department of Natural Resources; or
- 10                                       6.            the [respective] chief of police OF THE MARYLAND  
11 TRANSPORTATION AUTHORITY or chief's designee, when on property owned, leased,  
12 operated by, or under the control of the Maryland Transportation Authority, Maryland  
13 Aviation Administration, or Maryland Port Administration; and
- 14                                       (ii)          the Department of State Police barrack commander or  
15 commander's designee, unless there is an agreement otherwise with the Department  
16 of State Police.

17 2-103.

18 (a) In this section, "primary law enforcement officer" means:

- 19                        (1)            the chief of police, if any, or the chief's designee, in a municipal  
20 corporation;
- 21                        (2)            the chief of police or the chief's designee in a county with a county  
22 police department;
- 23                        (3)            the sheriff or the sheriff's designee in a county without a police  
24 department;
- 25                        (4)            the Police Commissioner or the Police Commissioner's designee in  
26 Baltimore City;
- 27                        (5)            the Secretary of Natural Resources or the Secretary's designee on any  
28 property owned, leased, operated by, or under the control of the Department of  
29 Natural Resources;
- 30                        (6)            the [respective] chief of police OF THE MARYLAND TRANSPORTATION  
31 AUTHORITY or chief's designee on property owned, leased, operated by, or under the  
32 control of the Maryland Aviation Administration, the Maryland Port Administration,  
33 or the Maryland Transportation Authority; or
- 34                        (7)            the Secretary of the State Police.

1 2-104.

2 (c) (1) A federal law enforcement officer who acts under the authority  
3 granted by this section shall notify the following persons of an investigation or  
4 enforcement action:

- 5 (i) 1. the chief of police, if any, or chief's designee, when in a  
6 municipal corporation;
- 7 2. the police commissioner or police commissioner's designee,  
8 when in Baltimore City;
- 9 3. the chief of police or chief's designee, when in a county  
10 with a county police department, except Baltimore City;
- 11 4. the sheriff or sheriff's designee, when in a county without  
12 a county police department;
- 13 5. the Secretary of Natural Resources or Secretary's  
14 designee, when on property owned, leased, operated by, or under the control of the  
15 Department of Natural Resources; or
- 16 6. the [respective] chief of police OF THE MARYLAND  
17 TRANSPORTATION AUTHORITY or chief's designee, when on property owned, leased,  
18 operated by, or under the control of the Maryland Transportation Authority, Maryland  
19 Aviation Administration, or Maryland Port Administration; and

20 (ii) the Department of State Police barrack commander or  
21 commander's designee, unless there is an agreement otherwise with the Department  
22 of State Police.

23 DRAFTER'S NOTE:

24 Error: Obsolete terminology in §§ 2-101(c)(6), 2-102(c)(1)(i)6,  
25 2-103(a)(6), and 2-104(c)(1)(i)6 of the Criminal Procedure Article.

26 Occurred: As a result of Ch. 514, Acts of 1998.

27 4-101.

28 (e) (3) Except for the uniform motor vehicle citation form, the law  
29 enforcement agencies of the State, the United States Park Police, and the Office of the  
30 State Fire Marshal shall reimburse the District Court for printing the citation forms  
31 that law enforcement officers and the STATE Fire Marshal require.

32 DRAFTER'S NOTE:

33 Error: Omitted word in § 4-101(e)(3) of the Criminal Procedure Article.

34 Occurred: As a result of Ch. 5, Acts of 2003.

1 5-202.

2 (c) (2) (ii) When a defendant described in paragraph (1) of this subsection  
3 is presented to the court under Maryland Rule [4-216(g)] 4-216(F), the judge shall  
4 order the continued detention of the defendant if the judge determines that neither  
5 suitable bail nor any condition or combination of conditions will reasonably ensure  
6 that the defendant will not flee or pose a danger to another person or the community  
7 before the trial.

8 (e) (3) When a defendant described in paragraph (1) of this subsection is  
9 presented to the court under Maryland Rule [4-216(g)] 4-216(F), the judge shall order  
10 the continued detention of the defendant if the judge determines that neither suitable  
11 bail nor any condition or combination of conditions will reasonably ensure that the  
12 defendant will not flee or pose a danger to another person or the community before  
13 the trial.

14 DRAFTER'S NOTE:

15 Error: Incorrect cross-references in § 5-202(c)(2)(ii) and (e)(3) of the  
16 Criminal Procedure Article.

17 Occurred: As a result of amendments to the Maryland Rules of  
18 Procedure.

19 6-229.

20 (c) (2) In order to qualify for a nolle prosequi with the requirement of drug  
21 or alcohol treatment or a stet with the requirement of drug or alcohol abuse  
22 treatment, a defendant shall be evaluated for drug or alcohol abuse by the  
23 Department of Health and Mental Hygiene, a designee of the Department, or a  
24 private provider under regulations of the Alcohol and Drug Abuse [Administration]  
25 ADMINISTRATION, and the evaluation shall determine whether the defendant is  
26 amenable to treatment and, if so, recommend an appropriate treatment program.

27 DRAFTER'S NOTE:

28 Error: Omitted comma in § 6-229(c)(2) of the Criminal Procedure  
29 Article.

30 Occurred: Chs. 237 and 238, Acts of 2004.

31 10-236.

32 (c) (1) As part of the application for a criminal history records check, the  
33 Chief Administrative Officer of Prince George's County shall submit to the Central  
34 Repository:

35 (ii) the fee authorized under § 10-221(b)(7) of this subtitle for  
36 access to Maryland criminal history records; and

1 (2) In accordance with §§ 10-201 through 10-234 of this subtitle, the  
 2 Central Repository shall forward to the prospective employee and the Chief  
 3 Administrative Officer of Prince George's County the prospective employee's criminal  
 4 history record information.

5 (4) The subject of a criminal history records check under this section may  
 6 contest the contents of the printed statement issued by the Central Repository as  
 7 provided in § 10-223 of this subtitle.

8 DRAFTER'S NOTE:

9 Error: Stylistic error in § 10-236(c)(1)(ii), (2), and (4) of the Criminal  
 10 Procedure Article.

11 Occurred: Ch. 364 of 2004. Correction by the publisher of the Annotated  
 12 Code in the 2004 Supplement to the Criminal Procedure Article is  
 13 validated by this Act.

14 11-912.

15 (a) The Board consists of the following 22 members:

16 (1) as ex officio members:

17 (i) the Governor or the Governor's designee;

18 (ii) the Attorney General or the Attorney General's designee;

19 (iii) the chairman of the Maryland Criminal Injuries Compensation  
 20 Board;

21 (iv) the Secretary of Human Resources or the Secretary's designee;

22 (v) the Secretary of Juvenile Services or the Secretary's designee;

23 (vi) the Secretary of Public Safety and Correctional Services or the  
 24 Secretary's designee; and

25 (vii) the Executive Director or the Executive Director's designee;  
 26 [and]

27 (2) 14 persons appointed by the Governor as follows:

28 (i) two State's Attorneys, recommended by the Attorney General;

29 (ii) six members of the public, recommended by the Executive  
 30 Director;

31 (iii) four professional victim service providers, recommended by the  
 32 Executive Director;

- 1 (iv) one representative of the Maryland Chiefs of Police; AND  
2 (v) one representative of the Maryland State Sheriff's Association;  
3 and  
4 (3) one member of the judiciary of the State, appointed by the Chief  
5 Judge of the Court of Appeals.

## 6 DRAFTER'S NOTE:

7 Error: Misplaced conjunction in § 11-912(a) of the Criminal Procedure  
8 Article.

9 Occurred: Ch. 10, Acts of 2001.

10 **Article - Education**

11 4-107.

12 (a) Each county board shall hold an annual meeting on or as near as possible  
13 to the second Tuesday in July, except that:

14 (1) In Allegany County, the annual meeting shall be held on the second  
15 Tuesday [of] IN January;

## 16 DRAFTER'S NOTE:

17 Error: Incorrect word usage in § 4-107(a)(1) of the Education Article.

18 Occurred: Ch. 22, Acts of 1978.

19 4-122.

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

## 22 DRAFTER'S NOTE:

23 Error: Stylistic error in § 4-122(a)(1) of the Education Article.

24 Occurred: Ch. 123, Acts of 1986.

25 4-205.

26 (c) (2) Subject to the provisions of § 6-203 and [Subtitle 4 of Title 6] TITLE  
27 6, SUBTITLE 4 of this article and without charge to the parties concerned, each county  
28 superintendent shall decide all controversies and disputes that involve:

- 29 (i) The rules and regulations of the county board; and  
30 (ii) The proper administration of the county public school system.

## 1 DRAFTER'S NOTE:

2 Error: Stylistic error in § 4-205(c)(2) of the Education Article.

3 Occurred: Ch. 22, Acts of 1978.

4 5-603.

5 (c) The county may apply funds received from any source to the payment of  
6 THE principal of and interest on the bonds.

## 7 DRAFTER'S NOTE:

8 Error: Omitted word in § 5-603(c) of the Education Article.

9 Occurred: Chs. 306 and 307, Acts of 2004.

10 7-103.

11 (a) Except as provided in subsections (b), (e), and (f) of this section, each public  
12 school under the jurisdiction of a county board:

13 (3) May not be open on Saturdays, Sundays, or holidays in order to meet  
14 the [180 day] 180-DAY or [1,080 hour] 1,080-HOUR requirement of this subsection.

15 (e) (1) The county boards of Allegany, Anne Arundel, Calvert, Howard, and  
16 Montgomery counties, and the Board of School Commissioners of Baltimore City, may  
17 elect to operate one or more schools within the county or Baltimore City on a  
18 year-round basis, provided that the [180 day] 180-DAY and the minimum hour  
19 requirements under this section are met.

## 20 DRAFTER'S NOTE:

21 Error: Omitted hyphens in § 7-103(a)(3) and (e)(1) of the Education  
22 Article.

23 Occurred: Ch. 120, Acts of 1982; Ch. 108, Acts of 1994.

24 8-406.

25 (c) (2) Subject to availability of funding in the State budget, for a child who  
26 qualifies for a nonpublic educational program under subsection (b)(2) of this section  
27 and who requires wraparound services in order to receive special education and  
28 related services in the least restrictive environment, the cost of providing the services  
29 shall be paid by the State and the county in which the child is domiciled in accordance  
30 with § 8-415(d) of this subtitle, if a State or local agency documents that the child's  
31 parent or [local] LEGAL guardian is unable to provide the wraparound services.

## 32 DRAFTER'S NOTE:

33 Error: Incorrect word usage in § 8-406(c)(2) of the Education Article.

1 Occurred: Ch. 563, Acts of 2002.

2 12-102.

3 (c) The Board of Regents consists of 17 members as follows:

4 (1) (i) Except as provided in subparagraph (ii) of this paragraph, one  
5 member shall be a full-time student in good academic standing at an institution  
6 under the jurisdiction of the [Board.] BOARD; AND

7 (ii) A student member who is in good academic standing at the  
8 University of Maryland University College shall be exempt from the full-time  
9 student requirement in subparagraph (i) of this [paragraph.] PARAGRAPH;

10 DRAFTER'S NOTE:

11 Error: Incorrect punctuation and omitted conjunction in § 12-102(c)(1) of  
12 the Education Article.

13 Occurred: Chs. 515 and 614, Acts of 1999.

14 12-104.

15 (e) (2) On or before November 1 each year, the Board shall submit to the  
16 Governor, the Comptroller, the STATE Treasurer, and, in accordance with § 2-1246 of  
17 the State Government Article, the General Assembly, an annual investment  
18 performance report comparing the various components of the University's gift and  
19 endowment investment portfolio to appropriate benchmarks.

20 DRAFTER'S NOTE:

21 Error: Omitted word in § 12-104(e)(2) of the Education Article.

22 Occurred: Ch. 485, Acts of 2004.

23 14-104.

24 (b) In addition to the powers set forth in Title 19 of this article and subject to  
25 the approval of the Board of Public Works, THE UNIVERSITY MAY borrow money from  
26 any source for any corporate purpose, including working capital for its operations,  
27 reserve funds or interest, and mortgage, pledge, or otherwise encumber the property  
28 or funds of the University, and contract with or engage the services of any person in  
29 connection with any financing, including financial institutions, issuers of credit, or  
30 insurers.

31 (p) (3) (ii) Subject to all exclusions and limitations in that subtitle, the  
32 immunity of the [College] UNIVERSITY is waived to the extent of any insurance  
33 coverage purchased under this subsection.

34 DRAFTER'S NOTE:



1 Error: Grammatical error in § 14-104(b); erroneous terminology in §  
2 14-104(p)(3)(ii) of the Education Article.

3 Occurred: Ch. 273, Acts of 2004.

4 15-106.3.

5 (c) A public institution of higher education shall try to assist the National  
6 Guard student in completing the course requirements by either:

7 (2) Transferring the National Guard student to an [online] ON-LINE  
8 course of instruction offered at an institution such as:

9 (i) The University of Maryland University College's Distance  
10 Education Courses; or

11 (ii) The Southern Regional Education Board's Electronic Campus.

12 DRAFTER'S NOTE:

13 Error: Omitted hyphen in § 15-106.3(c)(2) of the Education Article.

14 Occurred: Ch. 224, Acts of 2004. Correction by the publisher of the  
15 Annotated Code in the 2004 Supplement of the Education Article is  
16 ratified by this Act.

17 16-106.

18 (b) (1) (i) In this [subsection] SUBSECTION, "tuition" means the basic  
19 instructional charge for courses offered at a community [college;] COLLEGE.

20 DRAFTER'S NOTE:

21 Error: Omitted comma and incorrect punctuation in § 16-106(b)(1)(i) of  
22 the Education Article.

23 Occurred: Ch. 667, Acts of 1991.

24 18-603.

25 (b) Any career or volunteer [firefighter,] FIREFIGHTER OR ambulance or  
26 rescue squad member who is a resident of Maryland shall receive full and complete  
27 reimbursement by the Office for tuition costs not to exceed the resident tuition rates  
28 at the 4-year public institution of higher education within the University System of  
29 Maryland, other than the University of Maryland University College and University  
30 of Maryland, Baltimore, with the highest annual expenses for a full-time resident  
31 undergraduate, for courses credited toward a degree in fire service technology or  
32 emergency medical technology.

33 DRAFTER'S NOTE:

1 Error: Omitted word in § 18-603(b) of the Education Article.

2 Occurred: Ch. 330, Acts of 1986.

3 18-1001.

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

5 (b) "Board" means the Board of Directors of the Maryland Higher Education  
6 Loan Corporation.

7 (c) "College" means any institution of higher education that:

8 (1) Is recognized and approved by the state accrediting agency for the  
9 state where it is located; and

10 (2) Offers a course of study leading to a postsecondary degree or diploma.

11 (d) "CORPORATION" MEANS THE MARYLAND HIGHER EDUCATION LOAN  
12 CORPORATION.

13 (E) "DEPENDENT STUDENT" HAS THE MEANING INDICATED IN REGULATIONS  
14 ISSUED BY THE SECRETARY AND CERTIFIED BY AN OFFICER OF THE COLLEGE OR  
15 VOCATIONAL SCHOOL.

16 (F) "FORBEARANCE" MEANS PERMITTING THE TEMPORARY CESSATION OF  
17 PAYMENTS, ALLOWING AN EXTENSION OF TIME FOR MAKING PAYMENTS, OR  
18 ACCEPTING SMALLER PAYMENTS THAN WERE PREVIOUSLY SCHEDULED.

19 (G) "INDEPENDENT STUDENT" HAS THE MEANING INDICATED IN  
20 REGULATIONS ISSUED BY THE SECRETARY AND CERTIFIED BY AN OFFICER OF THE  
21 COLLEGE OR VOCATIONAL SCHOOL.

22 (H) "Secretary" means the United States Secretary of Education or a successor.

23 [(e) "Corporation" means the Maryland Higher Education Loan Corporation.

24 (f)] (I) "Vocational school" means a business or trade school, technical  
25 institution, or other technical or vocational school found to be eligible by the  
26 Corporation.

27 [(g) "Forbearance" means permitting the temporary cessation of payments,  
28 allowing an extension of time for making payments, or accepting smaller payments  
29 than were previously scheduled.

30 (h) As used in this subtitle, the terms "dependent student" or "independent  
31 student" have the meanings indicated in regulations issued by the Secretary and  
32 certified by an officer of the college or vocational school.]

33 DRAFTER'S NOTE:

1 Error: Stylistic errors in § 18-1001 of the Education Article.

2 Occurred: Ch. 313, Acts of 1981.

3 18-1008.

4 (b) (2) A loan may be made to a part-time student who:

5 (i) Carries at least [one half] ONE-HALF the normal full-time  
6 academic workload as determined by the college or vocational school; and

7 DRAFTER'S NOTE:

8 Error: Omitted hyphen in § 18-1008(b)(2)(i) of the Education Article.

9 Occurred: Ch. 22, Acts of 1978.

10 18-1909.

11 (b) (2) For the purposes of determining residency for the purchase of a  
12 prepaid contract:

13 (i) For residency in Maryland, "resident" has the meaning stated  
14 in [§ 10-101(h)] § 10-101 of the Tax - General Article; and

15 DRAFTER'S NOTE:

16 Error: Erroneous cross-reference in § 18-1909(b)(2)(i) of the Education  
17 Article.

18 Occurred: As a result of corrections made by the publisher of the  
19 Annotated Code in the 2004 Replacement Volume of the Tax-General  
20 Article under the authority of Ch. 25, § 6, Acts of 2004.

21 18-2001.

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

23 [(1)] (B) "Office" means the Office of Student Financial Assistance as  
24 defined in § 18-101(c) of this title.

25 [(2)] (C) "Regular undergraduate program" means an academic program  
26 of study in an institution of higher education at or below the baccalaureate level  
27 leading to either an associate's degree or bachelor's degree.

28 [(3) (i)] (D) (1) "Service obligation" means employment in the State  
29 in an occupation directly related to the eligible program of study as determined by the  
30 Maryland Higher Education Commission.

31 [(ii)] (2) "Service obligation" does not mean paid student internships,  
32 paid fellowships, or volunteer service.

1 DRAFTER'S NOTE:

2 Error: Stylistic errors in § 18-2001 of the Education Article.

3 Occurred: Chs. 566 and 567, Acts of 1998.

4 18-2601.

5 (g) Funds for the Maryland Graduate and Professional SCHOLARSHIP  
6 Program shall be as provided in the State budget and as set forth in § 13-613 of the  
7 Transportation Article.

8 DRAFTER'S NOTE:

9 Error: Omitted word in § 18-2601(g) of the Education Article.

10 Occurred: Ch. 315, Acts of 2002.

11 23-301.

12 (A) [As used in this subtitle:] IN THIS SUBTITLE THE FOLLOWING WORDS  
13 HAVE THE MEANINGS INDICATED.

14 (B) (1) "DEPOSITORY LIBRARY" MEANS A LIBRARY DESIGNATED FOR THE  
15 RECEIPT AND MAINTENANCE OF STATE PUBLICATIONS.

16 (2) "DEPOSITORY LIBRARY" INCLUDES:

17 (I) THE STATE LIBRARY RESOURCE CENTER;

18 (II) THE MARYLAND DEPARTMENT OF LEGISLATIVE SERVICES  
19 LIBRARY;

20 (III) THE STATE ARCHIVES;

21 (IV) THE MARYLAND STATE LAW LIBRARY;

22 (V) THE MCKELDIN LIBRARY OF THE UNIVERSITY OF MARYLAND;

23 (VI) THE LIBRARY OF CONGRESS; AND

24 (VII) ANY OTHER LIBRARY DESIGNATED BY THE COMMISSION ON  
25 STATE PUBLICATIONS DEPOSITORY AND DISTRIBUTION PROGRAM AS A DEPOSITORY  
26 LIBRARY.

27 (C) "PROGRAM" MEANS THE STATE PUBLICATIONS DEPOSITORY AND  
28 DISTRIBUTION PROGRAM.

29 (D) "STATE AGENCY" MEANS ANY PERMANENT OR TEMPORARY STATE OFFICE,  
30 DEPARTMENT, DIVISION OR UNIT, BUREAU, BOARD, COMMISSION, TASK FORCE,  
31 AUTHORITY, INSTITUTION, STATE COLLEGE OR UNIVERSITY, AND ANY OTHER UNIT

1 OF STATE GOVERNMENT, WHETHER EXECUTIVE, LEGISLATIVE, OR JUDICIAL, AND  
2 INCLUDES ANY SUBUNITS OF STATE GOVERNMENT.

3 (E) (1) "State publication" means informational materials produced,  
4 regardless of format, by the authority of, or at the total or partial expense of any State  
5 agency.

6 (2) [It] "STATE PUBLICATION" includes a publication sponsored by a  
7 State agency, issued in conjunction with, or under contract with the federal  
8 government, local units of government, private individuals, institutions, corporations,  
9 research [firms] FIRMS, or other entities.

10 (3) "State publication" does not include correspondence, interoffice and  
11 intraoffice memoranda, routine forms or other internal records[. It also does not  
12 include publications], PUBLICATIONS of bicounty agencies which comply with this  
13 program as required in § 23-304 of this [article and it does not include] SUBTITLE,  
14 OR any informational listing which any State statute provides shall be sold to  
15 members of the public for a fee.

16 [(2) "State agency" means any permanent or temporary State office,  
17 department, division or unit, bureau, board, commission, task force, authority,  
18 institution, State college or university, and any other unit of State government,  
19 whether executive, legislative, or judicial, and includes any subunits of State  
20 government.

21 (3) "Depository library" means a library designated for the receipt and  
22 maintenance of State publications. It includes but is not limited to:

23 (i) The State Library Resource Center;

24 (ii) The Maryland Department of Legislative Services Library;

25 (iii) The State Archives;

26 (iv) The Maryland State Law Library;

27 (v) The McKeldin Library of the University of Maryland;

28 (vi) The Library of Congress; and

29 (vii) Any other library that the Commission on State Publications  
30 Depository and Distribution Program may designate as a depository library.

31 (4) "Program" means the State Publications Depository and Distribution  
32 Program.

33 (5) "Commission" means the Commission on the State Publications  
34 Depository and Distribution Program.]

35 DRAFTER'S NOTE:

1 Error: Stylistic errors and obsolete language in § 23-301 of the Education  
2 Article.

3 Occurred: Ch. 912, Acts of 1982; as a result of Ch. 341, Acts of 1996.

4 **Article - Election Law**

5 1-101.

6 (e) "Ballot face" means a single side of a sheet on which are printed some or all  
7 of the contests to be voted ON by a voter.

8 DRAFTER'S NOTE:

9 Error: Omitted word in EL, § 1-101(e).

10 Occurred: Ch. 291, Acts of 2002.

11 3-204.

12 (b) Except for a public institution of higher education in the State, which  
13 institution shall comply with the requirements of subsection (c) of this section, each  
14 voter registration agency, as provided in subsection (a)(2) and (3) of this section, shall:

15 (2) provide a document to prospective registrants that includes:

16 (i) the question, "If you are not registered to vote where you live  
17 now, would you like to apply to register to vote here today?";

18 (ii) if the agency provides public assistance, the statement,  
19 "Applying to register or declining to register to vote will not affect the amount of  
20 assistance that you will be provided by this agency.";

21 (iii) boxes for the applicant to check to indicate whether the  
22 applicant would like to register or declines to register to vote together with the  
23 statement (in close proximity to the boxes and in prominent type), "If you do not check  
24 either box, you will be considered to have decided not to register to vote at this time.";

25 (iv) the statement, "If you would like help in filling out the voter  
26 registration application form, we will help you. The decision whether to seek or accept  
27 help is yours. You may fill out the application form in private.";

28 (v) the statement, "If you believe that someone has interfered with  
29 your right to register or to decline to register to vote, your right to privacy in deciding  
30 whether to register or in applying to register to vote, or your right to choose your own  
31 political party or other political preference, you may file a complaint with the State  
32 Board of [Elections";] ELECTIONS."; and

33 (vi) the address and toll free telephone number of the State Board;

34 DRAFTER'S NOTE:

1 Error: Omitted punctuation in EL, § 3-204(b)(2)(v).

2 Occurred: Ch. 291, Acts of 2002.

3 **Article - Environment**

4 4-103.

5 (e) (1) [(i) Subject to subparagraph (ii) of this paragraph, but  
6 notwithstanding] NOTWITHSTANDING any other provision of State law or local  
7 ordinance, [effective April 1, 1985,] it shall be the sole responsibility of the  
8 Department [of the Environment] to enforce compliance with the provisions of this  
9 subtitle and of any approved plan, except in those counties and municipalities to  
10 which enforcement authority has been delegated in accordance with paragraph (2) of  
11 this subsection.

12 [(ii) The Department of Natural Resources has the exclusive  
13 authority to enforce compliance with the provisions of this subtitle and of any  
14 approved plan with respect to mining operations that require a permit under Title 15  
15 of this article, and on abandoned mine reclamation projects.]

16 DRAFTER'S NOTE:

17 Error: Obsolete language and a stylistic error in § 4-103(e)(1) of the  
18 Environment Article.

19 Occurred: As a result of Ch. 488, Acts of 1995.

20 4-105.

21 (a) (2) (ii) Except as provided in subsection (b) of this section, the approval  
22 authority is:

23 5. For abandoned mine reclamation projects conducted by  
24 the Department [of Natural Resources] pursuant to Title 15, Subtitles 5, 6, and 11 of  
25 this article, the Department [of Natural Resources].

26 (iii) Criteria used by the Department [of Natural Resources] for  
27 review and approvals under subparagraph (ii)4 of this paragraph:

28 1. Shall meet or exceed current Maryland standards and  
29 specifications for soil erosion and sediment control; or

30 2. If alternative standards are applied, shall be reviewed and  
31 approved by the Department.

32 DRAFTER'S NOTE:

33 Error: Misnomer in § 4-105(a)(2)(ii)5 and (iii) of the Environment  
34 Article.

1 Occurred: As a result of Ch. 488, Acts of 1995.

2 7-406.

3 (f) (3) Within 30 days after the Board seeks the advice of a party listed  
4 under [subsection (f)(1) of this section] PARAGRAPH (1) OF THIS SUBSECTION, the  
5 party shall respond to the Board in writing by either:

6 (i) Setting forth the advice and comments of the party as to the  
7 proposed certification; or

8 (ii) Stating that the party has no comments as to the proposed  
9 certification.

10 DRAFTER'S NOTE:

11 Error: Stylistic error in § 7-406(f)(3) of the Environment Article.

12 Occurred: Ch. 528, Acts of 1980.

13 9-1601.

14 (cc) (2) "Person" does not include a county, municipal corporation, bi-county  
15 or [multi-county] MULTICOUNTY agency under Article 28 or 29 of the Code, housing  
16 authority under Article 44A of the Code, school board, community college, or any other  
17 unit of a county or municipal corporation.

18 DRAFTER'S NOTE:

19 Error: Extraneous hyphen in § 9-1601(cc)(2) of the Environment Article.

20 Occurred: Ch. 428, Acts of 2004.

21 (ff) (1) "User" means any person discharging wastewater to:

22 (i) A wastewater facility that has a State discharge permit or  
23 national pollutant discharge elimination system discharge [permit:] PERMIT;

24 DRAFTER'S NOTE:

25 Error: Incorrect punctuation in § 9-1601(ff)(1)(i) of the Environment  
26 Article.

27 Occurred: Ch. 428, Acts of 2004. Correction by the publisher of the  
28 Annotated Code in the 2004 Supplement of the Environment Article is  
29 ratified by this Act.



**Article - Estates and Trusts**

1 15-112.

2 (a) (1) [Mandatory grounds.] A court shall remove a fiduciary who has:

3 (i) Willfully misrepresented material facts leading to his  
4 appointment or to other action by the court in reference to the fiduciary estate;

5 (ii) Willfully disregarded an order of court;

6 (iii) Shown himself incapable, with or without fault to properly  
7 perform the duties of his office; or

8 (iv) Breached his duty of good faith or loyalty in the management of  
9 property of the fiduciary estate.

10 (2) [Discretionary grounds.] A court may remove a fiduciary who has:

11 (i) Negligently failed to file a bond within the time required by rule  
12 or order of court;

13 (ii) Negligently failed to obey an order of court; or

14 (iii) Failed to perform any of his duties as fiduciary, or to  
15 competently administer the fiduciary estate.

16 DRAFTER'S NOTE:

17 Error: Stylistic errors in § 15-112(a)(1) and (2) of the Estates and Trusts  
18 Article.

19 Occurred: Ch. 11, Acts of 1974.

**Article - Family Law**

20 2-404.

21 (b) Except as otherwise provided in this section:

22 (1) any county or group of 2 or more counties may set an additional fee of  
23 up to \$25 for each license; and

24 (2) the proceeds shall be used to fund domestic violence programs.

25 (e) In Baltimore County:

26 (1) IN ADDITION TO THE FEE AUTHORIZED UNDER SUBSECTION (B)(1) OF  
27 THIS SECTION, the County Council may set by resolution an additional fee of up to  
28 \$15 for each license;

1           (2)     the clerk shall pay the proceeds from the additional fee to the  
2 Director of Finance of the county each month;

3           (3)     the proceeds, in addition to designated federal, State, and county  
4 funds, shall be used to fund battered spouse shelters and domestic violence programs  
5 established under Title 4, Subtitle 5 of this article; and

6           (4)     the County Executive shall prepare and make available an annual  
7 report on or before December 1 of each year on the disposition of fees collected under  
8 this subsection during the previous fiscal year.

9 DRAFTER'S NOTE:

10     Error: Failure to clarify § 2-404(e) of the Family Law Article in light of  
11 erroneous revision of § 2-404(b) of the Family Law Article. Clarifying  
12 correction is consistent with legislative intent and extensive legislative  
13 history as outlined by Assistant Attorney General Kathryn M. Rowe in  
14 letter of advice to J. Patrick Ford, Dept. of Leg. Services, January 21, 2005,  
15 and is consistent with long-standing practice in Baltimore County.

16     Occurred: As a result of Ch. 336, Acts of 1999.

17 5-525.

18     (g)     Unless a child has received a review from the local board of review of foster  
19 care under § 5-544 of [Part IV of] this subtitle, the local department shall perform an  
20 administrative review every 6 months to determine the success of the efforts to meet  
21 the goals set out in the permanency plan or the agreement with the parents or  
22 guardians in voluntary placements.

23 DRAFTER'S NOTE:

24     Error: Stylistic error in § 5-525(g) of the Family Law Article.

25     Occurred: Ch. 608, Acts of 1987.

26 5-525.1.

27     (d)     This section may not be construed to:

28           (2)     require a local department to file a petition or, except as otherwise  
29 provided by law, require expedited termination of parental rights for a child in  
30 kinship care[, as defined in § 5-501 of this subtitle].

31 DRAFTER'S NOTE:

32     Error: Extraneous cross-reference in § 5-525.1(d)(2) of the Family Law  
33 Article.

34     Occurred: Ch. 539, Acts of 1998.

1 9.5-204.

2 (b) (1) If there is no previous child custody determination that is entitled to  
3 be enforced under this title and a child custody proceeding has not been commenced  
4 in a court of a state having jurisdiction under §§ 9.5-201 through 9.5-203 of this  
5 subtitle, a child custody determination made under this section remains in effect until  
6 an order is obtained from a court of a state having jurisdiction under §§ 9.5-201  
7 through 9.5-203 of this [subsection] SUBTITLE.

8 DRAFTER'S NOTE:

9 Error: Stylistic error in § 9.5-204(b)(1) of the Family Law Article.

10 Occurred: Ch. 502, Acts of 2004. Correction by the publisher of the  
11 Annotated Code in the 2004 Supplement of the Family Law Article is  
12 ratified by this Act.

13 **Article - Health - General**

14 4-305.

15 (c) (1) The disclosure of medical records under [subsection (b)(9)]  
16 SUBSECTION (B)(10) of this section to a person that is not employed by or under  
17 contract with the Montgomery County Department of Health and Human Services  
18 shall be conducted in accordance with this subtitle.

19 DRAFTER'S NOTE:

20 Error: Erroneous internal reference in § 4-305(c)(1) of the Health -  
21 General Article.

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

23 5-615.

24 (c) (1) The Department, in consultation with the Office of the Attorney  
25 General, shall develop an information sheet that provides information relating to  
26 advance directives, which shall include:

27 (i) Written statements informing an individual that an advance  
28 directive:

29 1. Is a useful, legal, and [well-established] WELL  
30 ESTABLISHED way for an individual to direct medical care;

31 DRAFTER'S NOTE:

32 Error: Extraneous hyphen in § 5-615(c)(1)(i)1 of the Health - General  
33 Article.

34 Occurred: Ch. 356, Acts of 2004. Correction by the publisher of the

1 Annotated Code in the 2004 Supplement of the Health - General Article is  
2 ratified by this Act.

3 10-409.

4 [(a)] The administrative head of the Eastern Shore Hospital Center shall:

5 (1) Advertise for and receive bids for a contract to provide laundry  
6 services; and

7 (2) Contract for the services with the low bidder unless the  
8 administrative head finds that the bidder would not fulfill the contract satisfactorily.

9 DRAFTER'S NOTE:

10 Error: Stylistic error in § 10-409 of the Health - General Article.

11 Occurred: Ch. 430, Acts of 2004. Correction by the publisher of the  
12 Annotated Code in the 2004 Supplement of the Health - General Article is  
13 ratified by this Act.

14 10-1503.

15 On or before December 31, 2005, the Child Care Administration, in collaboration  
16 with the Mental Hygiene Administration, the State Department of Education, and the  
17 Governor's Office [of] FOR Children, Youth, and Families, shall submit a report to the  
18 Governor and, in accordance with § 2-1246 of the State Government Article, the  
19 General Assembly that evaluates the Pilot Program established under this subtitle  
20 and comparable programs as applicable.

21 DRAFTER'S NOTE:

22 Error: Misnomer in § 10-1503 of the Health - General Article.

23 Occurred: Ch. 148, Acts of 2003.

24 13-1403.

25 (a) (2) Of the 11 members of the Board:

26 (v) Two members, appointed by the Governor from a list submitted  
27 by the Department of Disabilities, shall be individuals who have a spinal cord injury  
28 or who have a family member with a spinal cord injury; and

29 DRAFTER'S NOTE:

30 Error: Misnomer in § 13-1403(a)(2)(v) of the Health - General Article.

31 Occurred: As a result of Ch. 425, Acts of 2004. Pursuant to Ch. 425,  
32 Section 8, the former reference to "Office for Individuals with Disabilities"  
33 was corrected by the publisher of the Annotated Code in the 2004

1 Supplement of the Health - General Article and is validated by this Act.

2 15-114.

3 (a) In this section, "related institution" includes any of the following facilities,  
4 as classified from time to time by law, rule, or regulation:

- 5 (1) A comprehensive care [facility.] FACILITY;
- 6 (2) An extended care [facility.] FACILITY;
- 7 (3) An intermediate care [facility.] FACILITY; AND
- 8 (4) A skilled nursing facility.

9 DRAFTER'S NOTE:

10 Error: Incorrect punctuation and missing conjunction in § 15-114(a) of  
11 the Health - General Article.

12 Occurred: Ch. 21, Acts of 1982.

13 15-127.

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

15 [(1)] (2) "Child" means any individual under the age of 18 years.

16 [(2)] (3) "Initial assessment" includes:

- 17 (i) A psychological evaluation;
- 18 (ii) Parental interview; and
- 19 (iii) Medical evaluation.

20 [(3)] (4) (i) For purposes of this section, "sexual abuse" means any act  
21 that involves sexual molestation or exploitation of a child whether or not the sexual  
22 molestation or exploitation of the child is by a parent or other person who has  
23 permanent or temporary care or custody or responsibility for supervision of a child, or  
24 by any household or family member.

25 (ii) "Sexual abuse" includes:

- 26 1. Incest, rape, or sexual offense in any degree;
- 27 2. Sodomy; and
- 28 3. Unnatural or perverted sexual practices.

29 DRAFTER'S NOTE:

1 Error: Stylistic error in § 15-127(a) of the Health - General Article.

2 Occurred: Ch. 487, Acts of 1990.

3 15-141.

4 (m) (1) In arranging for the benefits required under subsection (d) of this  
5 section, the community care organization shall:

6 (i) [A.] 1. Reimburse nursing homes not less than the  
7 Medicaid-established rate based on the waiver recipient's medical condition plus  
8 allowable ancillary services, as established by the Department based on its nursing  
9 home Medicaid rate setting methodology; or

10 [B.] 2. For waiver recipients that would have been paid by  
11 the Medicare program for services provided, reimburse nursing homes not less than  
12 the applicable reimbursement rate payable by Medicare for that waiver recipient;

13 DRAFTER'S NOTE:

14 Error: Erroneous subsubparagraph designations in § 15-141(m)(1)(i) of  
15 the Health - General Article.

16 Occurred: Ch. 4, Acts of the 2004 Special Session.

17 17-214.

18 (f) (2) In addition to any other laboratory standards, the regulations shall:

19 (ii) Require that a laboratory performing confirmation tests[,] for  
20 controlled dangerous substances or alcohol be inspected and accredited in forensic  
21 drug analysis by the College of American Pathologists, the [U.S. Health Care  
22 Financing Administration (HCFA)] CENTERS FOR MEDICARE AND MEDICAID  
23 SERVICES, or any other government agency or program designated to inspect and  
24 accredit a laboratory that is acceptable to the Secretary;

25 DRAFTER'S NOTE:

26 Error: Extraneous comma and misnomer in § 17-214(f)(2)(ii) of the  
27 Health - General Article.

28 Occurred: Extraneous comma in Ch. 594, Acts of 1997; misnomer as a  
29 result of federal agency name change from the U.S. Health Care Financing  
30 Administration to the Centers for Medicare and Medicaid Services.

31 20-1006.

32 (a) On or before the 15th day of each regular session of the General Assembly,  
33 the Department shall submit an annual report on the Office of Minority Health and  
34 Health Disparities to the Governor and, subject to § 2-1246 [of this Article] OF THE  
35 STATE GOVERNMENT Article, to the General Assembly.

## 1 DRAFTER'S NOTE:

2 Error: Erroneous cross-reference in § 20-1006(a) of the Health -  
3 General Article.

4 Occurred: Ch. 319, Acts of 2004. Correction by the publisher of the  
5 Annotated Code in the 2004 Supplement of the Health - General Article is  
6 ratified by this Act.

7 21-323.1.

8 (a) In this section, "bed and breakfast establishment" means a lodging or  
9 rooming house as defined in § 9-201 of the Public Safety Article having eight rooms or  
10 [less] FEWER for rent.

## 11 DRAFTER'S NOTE:

12 Error: Incorrect word usage in § 21-323.1(a) of the Health - General  
13 Article.

14 Occurred: Ch. 312, Acts of 2004.

15 24-1203.

16 (b) (2) Of the 17 members:

17 (xvi) One member shall represent the Department of Disabilities;  
18 and

## 19 DRAFTER'S NOTE:

20 Error: Misnomer in § 24-1203(b)(2)(xvi) of the Health - General Article.

21 Occurred: As a result of Ch. 425, Acts of 2004. Pursuant to Ch. 425,  
22 Section 8, the former reference to "Office for Individuals with Disabilities"  
23 was corrected by the publisher of the Annotated Code in the 2004  
24 Supplement of the Health - General Article and is validated by this Act.

25 **Article - Health Occupations**

26 2-202.

27 (a) (7) (ii) 1. The Governor shall appoint the hearing impaired consumer  
28 member from a list submitted to the Secretary and the Governor by the Department  
29 of Disabilities.

30 2. The Department of Disabilities shall solicit nominees from  
31 each of the hearing impaired associations in the State.

## 32 DRAFTER'S NOTE:

1 Error: Misnomer in § 2-202(a)(7)(ii) of the Health Occupations Article.

2 Occurred: As a result of Ch. 425, Acts of 2004. Pursuant to Ch. 425,  
3 Section 8, the former references to "Governor's Office for Individuals with  
4 Disabilities" were corrected by the publisher of the Annotated Code in the  
5 2004 Supplement of the Health Occupations Article and are validated by  
6 this Act.

7 8-6A-02.

8 (b) This subtitle does not apply to an individual who:

9 (4) Performs nursing assistant tasks as a student while:

10 (i) Enrolled in a [Board approved] BOARD-APPROVED nursing  
11 assistant training program;

12 (ii) Practicing under the direct supervision of qualified faculty or  
13 preceptors; or

14 (iii) Practicing under the direct supervision of a licensed nurse while  
15 working as a nursing assistant;

16 DRAFTER'S NOTE:

17 Error: Omitted hyphen in § 8-6A-02(b)(4)(i) of the Health Occupations  
18 Article.

19 Occurred: Ch. 393, Acts of 1998.

20 14-5A-04.

21 (b) (2) The Comptroller shall distribute all fees to the [State] Board [of  
22 Physicians] established under § 14-201 of this title.

23 DRAFTER'S NOTE:

24 Error: Stylistic error in § 14-5A-04(b)(2) of the Health Occupations  
25 Article.

26 Occurred: Ch. 516, Acts of 1996.

27 14-5B-04.

28 (b) (2) The Comptroller shall distribute all fees to the [State] Board [of  
29 Physicians] established under § 14-201 of this title.

30 DRAFTER'S NOTE:

31 Error: Stylistic error in § 14-5B-04(b)(2) of the Health Occupations  
32 Article.



1 Occurred: Ch. 373, Acts of 2002.

2 **Article - Insurance**

3 4-405.

4 (b) In addition to the information required under subsection (a) of this section,  
5 each insurer providing professional liability insurance to a health care provider in the  
6 State shall submit to the Commissioner the following information:

7 (9) (iv) if THE case did go to trial, whether the case WAS tried by a jury;

8 [(b)] (C) The Commissioner may adopt regulations that require insurers of  
9 other lines of liability insurance to submit reports containing information that is  
10 substantially similar to the information described in subsection (a) of this section.

11 [(c)] (D) The Commissioner shall report, in accordance with § 2-1246 of the  
12 State Government Article, the Commissioner's findings as to the impact of [Chapter]  
13 CHAPTER 5 of the Acts of the 2004 Special Session of the General Assembly [(H.B. 2)]  
14 and Chapter 477 of the Acts of the General Assembly of 1994 on the availability of  
15 health care malpractice and other liability insurance in the State to the Legislative  
16 Policy Committee on or before September 1 of each year.

17 DRAFTER'S NOTE:

18 Error: Omitted words in § 4-405(b)(9)(iv); erroneous subsection  
19 designations in § 4-405(b) and (c); omitted chapter number in § 4-405(d) of  
20 the Insurance Article.

21 Occurred: Ch. 5, Acts of the 2004 Special Session.

22 10-101.

23 (f) "Limited line credit insurance producer" means a person who sells,  
24 [solicits] SOLICITS, or negotiates one or more forms of limited line credit insurance  
25 coverage to individuals through a master, corporate, group, or individual policy.

26 DRAFTER'S NOTE:

27 Error: Missing comma in § 10-101(f) of the Insurance Article.

28 Occurred: Ch. 731, Acts of 2001.

29 10-121.

30 (b) (2) (ii) For purposes of [this] subparagraph (i) of this paragraph, a  
31 person is not considered a controlling owner of a corporation if the person:

32 1. is a stockholder of the corporation;

1 2. does not manage or have day-to-day control over the  
2 operation of the corporation; and

3 3. is not an officer, director, or employee of the corporation  
4 who in any other way renders services for the corporation for which the person is  
5 compensated by the corporation.

6 DRAFTER'S NOTE:

7 Error: Extraneous word in § 10-121(b)(2)(ii) of the Insurance Article.

8 Occurred: Ch. 731, Acts of 2001.

9 10-133.

10 (A) IN THIS SECTION, "MEDICAL PROFESSIONAL LIABILITY INSURANCE"  
11 MEANS INSURANCE PROVIDING COVERAGE AGAINST DAMAGES DUE TO MEDICAL  
12 INJURY ARISING OUT OF THE PERFORMANCE OF PROFESSIONAL SERVICES  
13 RENDERED OR WHICH SHOULD HAVE BEEN RENDERED BY A HEALTH CARE  
14 PROVIDER.

15 (B) A licensed insurance producer may not enter into an exclusive  
16 appointment agreement with an authorized insurer that issues medical professional  
17 liability insurance.

18 DRAFTER'S NOTE:

19 Error: Codification error in § 10-133 of the Insurance Article. Definition  
20 of term erroneously codified in § 24-214 of the Insurance Article.

21 Occurred: Ch. 5, Acts of the 2004 Special Session.

22 10-408.

23 (e) (2) If the holder of a license files an application for renewal before the  
24 license expires, the [certificate of qualification] LICENSE shall remain in effect until:

25 (i) the Commissioner issues a renewal license; or

26 (ii) 5 days after the Commissioner refuses in writing to renew the  
27 license and serves notice of the refusal on the holder.

28 DRAFTER'S NOTE:

29 Error: Misnomer in § 10-408(e)(2) of the Insurance Article.

30 Occurred: Chs. 290 and 291, Acts of 2004. Correction by the publisher of  
31 the Annotated Code in the 2003 Supplement of the Insurance Article is  
32 ratified by this Act.

1 15-909.

2 (b) (2) Notwithstanding [subsection (b)(1)(ii) of this section,] PARAGRAPH  
3 (1)(II) OF THIS SUBSECTION, a carrier may include in a Medicare supplement policy a  
4 provision that complies with subsection (d) of this section.

5 DRAFTER'S NOTE:

6 Error: Incorrect internal reference in § 15-909(b)(2) of the Insurance  
7 Article.

8 Occurred: Ch. 35, Acts of 1997.

9 15-10A-03.

10 (c) (2) The Commissioner may extend the period within which a final  
11 decision is to be made under paragraph (1) of this subsection for up to an additional  
12 30 working days if [the Commissioner has not yet received]:

13 (i) THE COMMISSIONER HAS NOT YET RECEIVED information  
14 requested by the Commissioner; and

15 (ii) the information requested is necessary for the Commissioner to  
16 render a final decision on the complaint.

17 DRAFTER'S NOTE:

18 Error: Incorrect tabulation in § 15-10A-03(c)(2) of the Insurance Article.

19 Occurred: Chs. 111 and 112, Acts of 1998.

20 24-207.

21 (b) Notwithstanding subsection (a) of this section, if the Society meets all  
22 applicable requirements of this article about the sale of nonassessable policies,  
23 including the requirements of §§ 4-104, 4-105, and 4-106 of this article, the Society  
24 may issue nonassessable policies subject to:

25 (1) [§ 3-333] § 3-113 of this article;

26 DRAFTER'S NOTE:

27 Error: Incorrect cross-reference in § 24-207(b)(1) of the Insurance  
28 Article.

29 Occurred: Ch. 57, Acts of 1997.

1 27-501.

2 (d) (3) An insurer may cancel a policy of homeowner's insurance under  
3 which a [one-time] ONETIME guaranteed fully refundable deposit is required for a  
4 stated amount of coverage, if the cancellation:

5 (i) takes effect on the anniversary date of the inception of the  
6 policy;

7 (ii) is not based on a claim that occurred more than 3 years before  
8 the anniversary date of the policy on which the proposed cancellation would take  
9 effect; and

10 (iii) is otherwise in accordance with this subtitle.

11 DRAFTER'S NOTE:

12 Error: Incorrect hyphenation in § 27-501(d)(3) of the Insurance Article.

13 Occurred: Ch. 464, Acts of 2004. Correction by the publisher of the  
14 Annotated Code in the 2004 Supplement of the Insurance Article is ratified  
15 by this Act.

16 **Article - Labor and Employment**

17 3-707.

18 (d) (1) If an interpreter is requested under this section, the employer,  
19 employee organization, or union shall request the Department of Disabilities to assist  
20 in locating a qualified interpreter to assist at the hearing.

21 (2) The Department of Disabilities shall promptly assist in locating an  
22 interpreter.

23 DRAFTER'S NOTE:

24 Error: Misnomers in § 3-707(d) of the Labor and Employment Article.

25 Occurred: As a result of Ch. 425, Acts of 2004. Pursuant to Ch. 425,  
26 Section 8, the former references to "Office for Individuals with Disabilities"  
27 were corrected by the publisher of the Annotated Code in the 2004  
28 Supplement of the Labor and Employment Article and are validated by  
29 this Act.

30 11-403.

31 (a) (2) Four of the members shall be representatives of employee  
32 organizations; [1] ONE shall be an employee; [5] FIVE shall be representatives of  
33 employers and [2] TWO shall be appointed from the general public.

1 (6) The Governor, with the advice of the Secretary may appoint up to [3]  
2 THREE additional consultants to the Council from the public at large.

3 DRAFTER'S NOTE:

4 Error: Stylistic error in § 11-403(a)(2) and (6) of the Labor and  
5 Employment Article.

6 Occurred: Ch. 64, Acts of 1983.

7 **Article - Natural Resources**

8 1-501.

9 (c) "Political subdivision" means a county, the City of Baltimore, a  
10 [multi-county] MULTICOUNTY agency, municipal corporation, single purpose  
11 district, and soil conservation or sanitary district.

12 DRAFTER'S NOTE:

13 Error: Extraneous hyphen in § 1-501(c) of the Natural Resources Article.

14 Occurred: Ch. 838, Acts of 1978.

15 4-208.

16 (g) The Fund may be used only for:

17 (1) The scientific investigation, protection, propagation, and  
18 management of nontidal finfish; and

19 (2) Administrative costs calculated in accordance with § 1-103(b)(2) of  
20 this article.

21 DRAFTER'S NOTE:

22 Chs. 472 and 550, of the Acts of 2004, both amended § 4-208(g) of the  
23 Natural Resources Article. The merger of Chs. 472 and 550 by the  
24 publisher in the 2004 Supplement of the Natural Resources Article gives  
25 effect to both enactments and is validated by this Act.

26 4-209.

27 (g) Subject to §§ 4-701(n), 4-1020, 4-1028, and 4-1035 of this title, the Fund  
28 may be used for:

29 (1) Replenishing fisheries resources and related research;

30 (2) Matching federal funds available for research and development of  
31 fisheries resources; and

1 (3) Administrative costs calculated in accordance with § 1-103(b)(2) of  
2 this article.

3 DRAFTER'S NOTE:

4 Chs. 472 and 550, of the Acts of 2004, both amended § 4-209(g) of the  
5 Natural Resources Article. The merger of Chs. 472 and 550 by the  
6 publisher in the 2004 Supplement of the Natural Resources Article gives  
7 effect to both enactments and is validated by this Act.

8 4-215.

9 (a) (1) In this section the following [terms] WORDS have the meanings  
10 [indicated:] INDICATED.

11 [(1)] (2) "Conservation and management measures" means 1 or more  
12 techniques through which the objectives of a fishery management plan are  
13 [achieved:] ACHIEVED.

14 [(2)] (3) "Fishery" or "fishery resource" means:

15 (i) One or more stocks of fish which can be treated as a unit for  
16 purposes of conservation and management and which are identified on the basis of  
17 geographic, scientific, technical, recreational, and economic characteristics; or

18 (ii) The group or industry harvesting those [stocks:] STOCKS.

19 [(3)] (4) "Fishery management" means the system used to conserve and  
20 allocate the fishery resource, including research and data collection, determination of  
21 objectives and management measures, and establishment, enforcement, and periodic  
22 evaluation of [regulations; and] REGULATIONS.

23 [(4)] (5) "Fishery management plan" means a document or report that  
24 contains a systematic description of a given fishery and the objectives and  
25 conservation and management measures for the fishery.

26 DRAFTER'S NOTE:

27 Error: Stylistic errors in § 4-215(a) of the Natural Resources Article.

28 Occurred: Ch. 665, Acts of 1990.

29 4-604.

30 (f) (3) Before an angler's license may be issued, the applicant for the license  
31 shall sign a statement [which] THAT says:

32 "I understand that this license does not of itself permit me to fish on private  
33 property, and if I do so without permission of the owner I may be subject to a fine."

34 DRAFTER'S NOTE:

1 Error: Grammatical error in § 4-604(f)(3) of the Natural Resources  
2 Article.

3 Occurred: Ch. 76, Acts of 1974.

4 4-701.

5 (i) (2) The Department shall review and may approve the permanent  
6 transfer of a license or an authorization to a person who is the licensee's spouse,  
7 daughter, son, stepchild, grandchild, [step grandchild] STEPGRANDCHILD, parent,  
8 sister, brother, grandparent, father-in-law, mother-in-law, son-in-law,  
9 daughter-in-law, sister-in-law, or brother-in-law, and only:

10 (i) If the licensee makes application to the Department requesting  
11 transfer and the transferee has paid the fee for the license or authorization; or

12 (ii) Upon death of the licensee, if the licensee or an authorized  
13 representative of the licensee indicates or had indicated that person's name to the  
14 Department.

15 (j-1) (1) At the time of license renewal, a licensee who possesses three or more  
16 authorizations under [subsections] SUBSECTION (d)(2)(ii)1 and 2A through E of this  
17 section, one of which is a crabbing authorization, may relinquish each authorization  
18 and receive an authorization under subsection (d)(2)(ii)2F of this section.

19 DRAFTER'S NOTE:

20 Error: Misspelling in § 4-701(i)(2); stylistic error in § 4-701(j-1)(1) of the  
21 Natural Resources Article.

22 Occurred: Ch. 31, Acts of 1996; as a result of Ch. 83, Acts of 2004.

23 4-711.

24 (a) A person may not set any pound net or any line of these nets [which] THAT  
25 is greater in length than one third the distance across the waters of the bay, sound,  
26 river, creek, cove, or inlet where it is set, or is set so that it impedes or obstructs  
27 navigation on or blocks in any way the main channel of the bay, sound, river, creek,  
28 cove, or [inlet the] INLET. THE length limit provided here shall not be construed to  
29 apply to any line of nets running parallel to the bank or shore of any bay, sound, river,  
30 creek, cove, or [inlet] INLET, but no net may be set across the mouth on any tributary,  
31 [harbor] HARBOR, or navigation channel.

32 DRAFTER'S NOTE:

33 Error: Grammatical error in § 4-711(a); run-on sentence and omitted  
34 commas in § 4-711(a) of the Natural Resources Article.

35 Occurred: Ch. 4, First Special Session, Acts of 1973; Ch. 671, Acts of 1974.

1 4-745.

2 (c) A person may fish for finfish in the Chesapeake Bay or its tidal tributaries  
3 without a Chesapeake Bay sport fishing license if the person:

4 (4) Is fishing with a hook and line from a public bridge or public pier  
5 [which] THAT has been designated by the Department as a free fishing area;

6 (d) (2) (i) The Department may provide by regulation for issuance of an  
7 annual special Chesapeake Bay sport fishing license, which when permanently  
8 affixed to a boat registered in any state shall authorize any person on the boat to fish  
9 for finfish in the Chesapeake Bay or in its tributaries up to tidal boundaries, except  
10 that such a license may not be used on a boat [which] THAT has been hired to take  
11 such persons fishing.

12 DRAFTER'S NOTE:

13 Error: Grammatical errors in § 4-745(c)(4) and (d)(2)(i) of the Natural  
14 Resources Article.

15 Occurred: Ch. 792, Acts of 1984.

16 5-103.

17 (e) (7) (i) Subject to subparagraph (ii) of this paragraph, the Fund may be  
18 used only to:

19 1. Plant trees on State or other publicly owned lands located  
20 in the county and watershed in which construction projects giving rise to Fund  
21 contributions are located; or

22 2. If reforestation cannot be reasonably accomplished in the  
23 county and watershed in which the construction activity is located:

24 A. Plant trees on State or other publicly owned lands located  
25 in the county or in the watershed in the State in which the construction activity is  
26 located; or

27 B. Purchase credits in, establish, or maintain a forest  
28 mitigation bank in the county or watershed in which the construction activity is  
29 located in accordance with Department regulations.

30 (ii) 1. Except as provided in subparagraph 2 of this  
31 subparagraph, moneys in the Fund may be used for administrative costs calculated in  
32 accordance with § 1-103(b)(2) of this article.

33 2. The Fund may not be used to finance administrative  
34 activities associated with a mitigation bank.

35 3. Any credits created by the Fund may not be sold to  
36 compensate for additional forest impacts.



1 (iii) 1. The Department shall accomplish the reforestation for  
2 which money is deposited in the Fund within 1 year or two growing seasons after  
3 project completion, as appropriate.

4 2. Money deposited in the Fund under subsection (d) of this  
5 section shall remain in the Fund for a period of 1 year or two growing seasons, and at  
6 the end of that time period, any portion that is not used to meet the reforestation  
7 requirements shall be returned to the constructing agency.

8 DRAFTER'S NOTE:

9 Chs. 472 and 550, of the Acts of 2004, both amended § 5-103(e)(7)(i) of the  
10 Natural Resources Article. The merger of Chs. 472 and 550 by the  
11 publisher in the 2004 Supplement of the Natural Resources Article gives  
12 effect to both enactments and is validated by this Act.

13 5-209.

14 (b) The Secretary shall promulgate rules and regulations regarding  
15 equipment standards and the operation of off-road vehicles by type, as defined in §  
16 10-410(d) of this article, on property owned or controlled by the Department. [He]  
17 THE SECRETARY shall conduct appropriate studies and, by January 1, 1975 [he shall  
18 designate], DESIGNATE and identify areas for use by the general public for operation  
19 of motorcycles, snowmobiles and other off-road vehicles on that property exclusive of  
20 wildlife management areas or State fisheries management areas to the extent such  
21 use is compatible with the character and established uses of property controlled by  
22 the Department. Prior to March 31, 1976, every off-road vehicle to be used on  
23 Department [of Natural Resources] lands shall be registered and provided suitable  
24 identification by the Department [of Natural Resources], which shall charge an  
25 annual uniform fee for all registrants, revenues derived from which shall be used to  
26 acquire and maintain areas for off-road vehicle use by the general public. Any  
27 investment earnings derived from the revenues shall be credited to the General Fund  
28 of the State. Revenues from the fee are not subject to § 7-302 of the State Finance and  
29 Procurement Article. Revenues may be used for administrative costs calculated in  
30 accordance with § 1-103(b)(2) of this article. Any property to be acquired or  
31 designated for off-road vehicle use shall be subject to a public hearing held in the  
32 county or counties wherein the property is situated. However, no off-road vehicle may  
33 be permitted where its operation will damage the wildland character of the property  
34 or where the noise from its operation will be audible at or interfere with the use of a  
35 picnic or camping area open to public use.

36 DRAFTER'S NOTE:

37 Error: Stylistic errors and omitted comma in § 5-209(b) of the Natural  
38 Resources Article.

39 Occurred: Ch. 4, First Special Session, Acts of 1973; Ch. 841, Acts of 1974.

1 5-212.

2 (g) The Fund may be used only for:

3 (1) Purchasing and managing in the name of the State lands suitable for  
4 forest culture, reserves, watershed protection, State parks, scenic preserves, historic  
5 monuments, parkways, and State recreational reserves;

6 (2) Annual payments to counties in the amount of:

7 (i) If the State forest or park reserve comprises less than 10% of  
8 the total land area of the county, a sum equal to 15% of the net revenue derived from  
9 the State forest or park reserve located in that county; and

10 (ii) If the State forest or park reserve comprises 10% or more of the  
11 total land area of the county, a sum equal to 25% of the net revenue derived from the  
12 State forest or park reserve located in that county; and

13 (3) Administrative costs calculated in accordance with § 1-103(b)(2) of  
14 this article.

15 DRAFTER'S NOTE:

16 Chs. 472 and 550, of the Acts of 2004, both amended § 5-212(g) of the  
17 Natural Resources Article. The merger of Chs. 472 and 550 by the  
18 publisher in the 2004 Supplement of the Natural Resources Article gives  
19 effect to both enactments and is validated by this Act.

20 5-212.1.

21 (a) (2) "Account" means the Forest [or] AND Park Concession Account.

22 (g) (1) Except as provided in paragraph (2) of this subsection, the Account  
23 shall be used only for:

24 (i) The maintenance and operation of concession operations;

25 (ii) The function of State forests and parks to the extent of the  
26 projected balance of the Account from the prior fiscal year; and

27 (iii) Administrative costs calculated in accordance with §  
28 1-103(b)(2) of this article.

29 (h) (1) The Treasurer shall invest the money of the Account in the same  
30 manner as other State money may be invested.

31 (2) Any investment earnings of the [Fund] ACCOUNT shall be credited  
32 to the General Fund of the State.

33 DRAFTER'S NOTE:

1 Error: Misnomer in § 5-212.1(a)(2); incorrect word usage in § 5-212.1(h)  
2 of the Natural Resources Article.

3 Occurred: Ch. 550, Acts of 2004. Chs. 472 and 550, of the Acts of 2004,  
4 both amended § 5-212.1(g)(1) of the Natural Resources Article. The merger  
5 of Chs. 472 and 550 by the publisher in the 2004 Supplement of the  
6 Natural Resources Article gives effect to both enactments and is validated  
7 by this Act.

8 5-215.

9 (c) (1) Except as provided in paragraphs (2) and (4) of this subsection, the  
10 Department shall pay all fees collected for boat launching at Deep Creek Lake State  
11 Park, all funds collected from lake and buffer use permits, contracts, grants, and gifts  
12 as a result of the Deep Creek Lake management program, and any investment  
13 earnings of the Fund, into the Fund.

14 (2) At the end of each quarter of the fiscal year, the Department shall  
15 pay 25% of the total revenue collected during the quarter under paragraph (1) of this  
16 subsection to the Board of County Commissioners of Garrett County.

17 (3) (i) The Fund is a special, nonlapsing fund that is not subject to §  
18 7-302 of the State Finance and Procurement Article.

19 (ii) Any investment earnings of the Fund may not be transferred or  
20 revert to the General Fund of the State, but shall remain in the Fund.

21 (4) Moneys in the Fund may be used for administrative costs calculated  
22 in accordance with § 1-103(b)(2) of this article.

23 DRAFTER'S NOTE:

24 Chs. 472 and 550, of the Acts of 2004, both amended § 5-215(c) of the  
25 Natural Resources Article. The merger of Chs. 472 and 550 by the  
26 publisher in the 2004 Supplement of the Natural Resources Article gives  
27 effect to both enactments and is validated by this Act.

28 5-908.

29 (d) (1) The Fund is a special, nonlapsing fund that is not subject to § 7-302  
30 of the State Finance and Procurement Article.

31 (2) Any investment earnings of the Fund may not be transferred or  
32 revert to the General Fund of the State, but shall remain in the Fund.

33 (3) Moneys in the Fund may be used for administrative costs calculated  
34 in accordance with § 1-103(b)(2) of this article.

35 DRAFTER'S NOTE:

36 Chs. 472 and 550, of the Acts of 2004, both amended § 5-908(d) of the

1 Natural Resources Article. The merger of Chs. 472 and 550 by the  
2 publisher in the 2004 Supplement of the Natural Resources Article gives  
3 effect to both enactments and is validated by this Act.

4 5-908.1.

5 (d) (1) The Fund is a special, nonlapsing fund that is not subject to § 7-302  
6 of the State Finance and Procurement Article.

7 (2) Any investment earnings of the Fund may not be transferred or  
8 revert to the General Fund of the State, but shall remain in the Fund.

9 (3) Moneys in the Fund may be used for administrative costs calculated  
10 in accordance with § 1-103(b)(2) of this article.

11 DRAFTER'S NOTE:

12 Chs. 472 and 550, of the Acts of 2004, both amended § 5-908.1(d) of the  
13 Natural Resources Article. The merger of Chs. 472 and 550 by the  
14 publisher in the 2004 Supplement of the Natural Resources Article gives  
15 effect to both enactments and is validated by this Act.

16 5-909.

17 (c) (1) The Fund is a special, nonlapsing fund that is not subject to § 7-302  
18 of the State Finance and Procurement Article.

19 (2) Any investment earnings of the Fund shall be credited to the General  
20 Fund of the State.

21 (3) Moneys in the Fund may be used for administrative costs calculated  
22 in accordance with § 1-103(b)(2) of this article.

23 DRAFTER'S NOTE:

24 Chs. 472 and 550, of the Acts of 2004, both amended § 5-909(c) of the  
25 Natural Resources Article. The merger of Chs. 472 and 550 by the  
26 publisher in the 2004 Supplement of the Natural Resources Article gives  
27 effect to both enactments and is validated by this Act.

28 8-723.

29 (e) Unless otherwise provided, the Fund consists of:

30 (1) [Except as provided in § 8-716(h) of this subtitle, moneys] MONEYS  
31 received from any fee and other revenue the Department collects under authority of  
32 this subtitle;

33 (2) Moneys appropriated in the State budget to the Fund; and

34 (3) Any moneys received and accepted as gifts, contributions, or grants.

- 1 (f) The Department shall use the Fund:
- 2 (1) For the administration of this subtitle;
- 3 (2) To cover the costs of fulfilling the duties and responsibilities of the  
4 Department under this title; and
- 5 (3) For administrative costs calculated in accordance with § 1-103(b)(2)  
6 of this article.

7 DRAFTER'S NOTE:

8 Error: Obsolete cross-reference in § 8-723(e)(1) of the Natural Resources  
9 Article.

10 Occurred: As a result of Ch. 460, Acts of 2004. Chs. 472 and 550, of the  
11 Acts of 2004, both amended § 8-723(f) of the Natural Resources Article.  
12 The merger of Chs. 472 and 550 by the publisher in the 2004 Supplement  
13 of the Natural Resources Article gives effect to both enactments and is  
14 validated by this Act.

15 8-729.

16 (a) Unless excepted by § 8-728 of this subtitle, a security interest in a vessel is  
17 not valid against creditors of the owner or subsequent transferees or secured parties  
18 of the vessel unless perfected as provided under [§§ 8-729] THIS SECTION AND §§  
19 8-730 through 8-732 of this subtitle.

20 DRAFTER'S NOTE:

21 Error: Stylistic error in § 8-729(a) of the Natural Resources Article.

22 Occurred: Ch. 432, Acts of 1975.

23 8-743.

24 (b) (2) If the child is under the age of 4 years, the personal flotation device  
25 may feature additional safety precautions, as appropriate for an infant, toddler, or  
26 young child, so as to:

27 (i) Hold the child securely within the personal [floatation]  
28 FLOTATION device, including a strap that is secured between the child's legs to fasten  
29 together the front and back of the personal flotation device;

30 (ii) Maintain the buoyancy of the child, including an inflatable  
31 headrest or high collar; or

32 (iii) Ensure the ready accessibility of the child from the vessel,  
33 including a web handle.

34 DRAFTER'S NOTE:

1 Error: Misspelling in § 8-743(b)(2)(i) of the Natural Resources Article.

2 Occurred: Ch. 458, Section 1, Acts of 2004. Correction by the publisher of  
3 the Annotated Code in the 2004 Supplement of the Natural Resources  
4 Article is ratified by this Act.

5 8-1808.

6 (c) (1) At a minimum, a program sufficient to meet the goals stated in  
7 subsection (b) of this section includes:

8 (vii) Requirements for minimum setbacks for structures and septic  
9 fields along shorelines, including the establishment of a minimum buffer landward  
10 from the mean high water line of tidal waters, tributary streams, and tidal  
11 [wetlands.] WETLANDS;

12 DRAFTER'S NOTE:

13 Error: Incorrect punctuation in § 8-1808(c)(1)(vii) of the Natural  
14 Resources Article.

15 Occurred: Ch. 526, Acts of 2004. Correction by the publisher of the  
16 Annotated Code in the 2004 Supplement of the Natural Resources Article  
17 is ratified by this Act.

18 8-2102.

19 (d) (5) The Department shall establish priorities to target cost sharing  
20 assistance to wetlands restoration and enhancement where:

21 (i) Phragmites [threaten] THREATENS rare or endangered wildlife  
22 or plants;

23 (ii) The highest diversity and abundance of native plants, wildlife,  
24 or fish exist; and

25 (iii) Phragmites can be effectively controlled.

26 DRAFTER'S NOTE:

27 Error: Grammatical error in § 8-2102(d)(5)(i) of the Natural Resources  
28 Article.

29 Occurred: Ch. 429, Acts of 1996.

30 10-209.

31 (g) The Fund may be used for:

32 (1) The scientific investigation, protection, propagation, and  
33 management of wildlife; and

1 (2) Administrative costs calculated in accordance with § 1-103(b)(2) of  
2 this article.

3 DRAFTER'S NOTE:

4 Chs. 472 and 550, of the Acts of 2004, both amended § 10-209(g) of the  
5 Natural Resources Article. The merger of Chs. 472 and 550 by the  
6 publisher in the 2004 Supplement of the Natural Resources Article gives  
7 effect to both enactments and is validated by this Act.

8 10-301.

9 (n) (7) (i) The Fund may be used only for:

- 10 1. Providing cost-share assistance to landowners for  
11 planting upland wildlife habitat;
- 12 2. Providing matching funds to acquire grant funding for  
13 upland wildlife habitat programs;
- 14 3. Hiring contractual staff to implement upland wildlife  
15 habitat programs in the State;
- 16 4. Promoting the Fund and upland wildlife habitat  
17 programs; and
- 18 5. Covering administrative costs calculated in accordance  
19 with § 1-103(b)(2) of this article.

20 DRAFTER'S NOTE:

21 Chs. 472 and 550, of the Acts of 2004, both amended § 10-301(n)(7)(i) of the  
22 Natural Resources Article. The merger of Chs. 472 and 550 by the  
23 publisher in the 2004 Supplement of the Natural Resources Article gives  
24 effect to both enactments and is validated by this Act.

25 **Article - Public Safety**

26 12-1003.

27 (b) The Council consists of the following 27 members:

28 (5) the Secretary of Disabilities or the Secretary's designee; and

29 DRAFTER'S NOTE:

30 Error: Misnomer in § 12-1003(b)(5) of the Public Safety Article.

31 Occurred: As a result of Ch. 425, Acts of 2004. Pursuant to Ch. 425,  
32 Section 8, the former reference to the "Governor's Office for Individuals  
33 with Disabilities or the Director's" was corrected by the publisher of the

1 Annotated Code in the 2004 Supplement of the Public Safety Article and is  
2 validated by this Act.

3 **Article - Public Utility Companies**

4 7-505.

5 (b) (3) The Commission shall order an electric company to adopt policies and  
6 practices reasonably designed to prevent:

7 (i) discrimination against a person, locality, or particular class of  
8 service or [give] GIVING undue or unreasonable preference in favor of the electric  
9 company's own electricity supply, other services, divisions, or affiliates, if any; and

10 (ii) any other forms of self-dealing or practices that could result in  
11 noncompetitive electricity prices to customers.

12 DRAFTER'S NOTE:

13 Error: Grammatical error in § 7-505(b)(3) of the Public Utility  
14 Companies Article.

15 Occurred: Ch. 3, Acts of 1999.

16 **Article - Real Property**

17 11-109.

18 (c) (4) A regular or special meeting of the council of unit owners may not be  
19 held on less than 10 nor more than 90 days':

20 (ii) Notice sent to each unit owner by electronic transmission, if the  
21 requirements of § 11-139.1 of this [subtitle] TITLE are met.

22 (5) Notice of special meetings of the board of directors shall be given:

23 (ii) If the requirements of § 11-139.1 of this [subtitle] TITLE are  
24 met, by electronic transmission.

25 (8) (iii) 1. Fifteen days' notice of the time, place, and purpose of the  
26 additional meeting shall be delivered, mailed, or sent by electronic transmission if the  
27 requirements of [§ 11-139.2] § 11-139.1 OF THIS TITLE are met, to each unit owner at  
28 the address shown on the roster maintained under paragraph (2) of this subsection.

29 (12) Only a unit owner voting in person or by electronic transmission if  
30 the requirements of § 11-139.2 OF THIS TITLE are met or a proxy voting for  
31 candidates designated by a unit owner may vote for officers and members of the board  
32 of directors.

33 DRAFTER'S NOTE:



1 Error: Stylistic errors in § 11-109(c)(4)(ii), (5)(ii), and (12) of the Real  
2 Property Article; erroneous cross-reference and stylistic error in  
3 § 11-109(c)(8)(iii)1 of the Real Property Article.

4 Occurred: Ch. 286, Acts of 2004.

5 11-137.

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

8 [(1)] (2) "Annual income" means the total income from all sources, of a  
9 designated household, for the income tax year immediately preceding the year in  
10 which the notice is given under § 11-102.1 of this [subtitle] TITLE, whether or not  
11 included in the definition of gross income for federal or State tax purposes. For  
12 purposes of this section, the inclusions and exclusions from annual income are the  
13 same as those listed in [§ 9-104(a)(7)] § 9-104(A)(8) of the Tax - Property Article,  
14 "gross income" as that term is defined for the property tax credits for homeowners by  
15 reason of income and age, but shall not include unreimbursed medical expenses if the  
16 tenant provides reasonable evidence of the unreimbursed medical expenses or  
17 consents in writing to authorize disclosure of relevant information regarding medical  
18 expense reimbursement at the time of applying for an extended lease.

19 [(2)] (3) "Designated household" means any of the following households:

20 (i) A household which includes a senior citizen who has been a  
21 member of the household for a period of at least 12 months preceding the giving of the  
22 notice required by § 11-102.1 of this title; or

23 (ii) A household which includes a handicapped citizen who has been  
24 a member of the household for a period of at least 12 months preceding the giving of  
25 the notice required by § 11-102.1 of this title.

26 [(3)] (4) "Handicapped citizen" means a person with a measurable  
27 limitation of mobility due to congenital defect, disease, or trauma.

28 [(4)] (5) "Household" means only those persons domiciled in the unit at  
29 the time the notice required by § 11-102.1 of this title is given.

30 [(5)] (6) "Rental facility" means property containing 10 or more dwelling  
31 units intended to be leased to persons who occupy the dwellings as their residences.

32 [(6)] (7) "Senior citizen" means a person who is at least 62 years old on  
33 the date that the notice required by § 11-102.1 of this title is given.

34 DRAFTER'S NOTE:

35 Error: Stylistic errors in § 11-137(a) of the Real Property Article;  
36 erroneous cross-reference in § 11-137(a)(1) of the Real Property Article.

1 Occurred: Stylistic errors, Ch. 246, Acts of 1981; erroneous  
2 cross-reference, as a result of Ch. 154, Acts of 1987.

3 13-101.

4 (b) "Abandoned land" means [vacant] land that has boundaries that are  
5 located within or contiguous to Green Ridge State Forest:

6 (1) For which no property tax payment has been made within 20 years  
7 immediately preceding the date of an application for a certificate of reservation for  
8 public use by a unit of State government; and

9 (2) Which has not been actually possessed by a person, under claim of  
10 title or otherwise, for a continuous period of 20 years immediately preceding the date  
11 of an application for a certificate of reservation for public use by a unit of State  
12 government.

13 DRAFTER'S NOTE:

14 Error: Extraneous language in § 13-101(b) of the Real Property Article.

15 Occurred: Ch. 334, Acts of 2003. Correction recommended by Attorney  
16 General J. Joseph Curran in bill review letter for HB 887 (Ch. 334) of 2003.

17 14-128.

18 (a) The provisions of this section shall apply to any residential property,  
19 including property that is subject to the provisions of:

20 (1) Title 8, TITLE 8A, TITLE 11, TITLE 11A, or TITLE 11B of this article; or

21 DRAFTER'S NOTE:

22 Error: Stylistic errors in § 14-128(a)(1) of the Real Property Article.

23 Occurred: Ch. 529, Acts of 2004.

24 **Article - State Finance and Procurement**

25 3-901.

26 (d) "Program" means the program developed and administered by the  
27 Department in consultation with the Board and the Department of Disabilities to  
28 provide financial assistance for the purchase of specialized customer premises  
29 equipment (SCPE) by eligible program participants.

30 (e) "Program participant" means a person who:

31 (1) is a resident of the State;

1 (2) is certified by a licensed professional as having a disability which  
2 seriously limits or prohibits the use of the basic telephone network without  
3 specialized customer premises equipment;

4 (3) is certified by a licensed professional as being able to use specialized  
5 customer premises equipment for which application is made;

6 (4) meets the financial eligibility requirements established by the  
7 Department of Disabilities as a recipient of:

8 (i) Transitional Emergency Medical and Housing Assistance  
9 (TEMHA);

10 (ii) Supplemental Security Income (SSI); or

11 (iii) Aid to Families with Dependent Children (AFDC); and

12 (5) at the time of application is not receiving similar services which are  
13 available and can be provided in a timely manner through another program.

14 DRAFTER'S NOTE:

15 Error: Obsolete language in § 3-901(d) and (e)(4) of the State Finance  
16 and Procurement Article.

17 Occurred: As a result of Ch. 425, Acts of 2004. Pursuant to Ch. 425,  
18 Section 8, the former references to "Governor's Office for Individuals with  
19 Disabilities" were corrected by the publisher of the Annotated Code in the  
20 2004 Supplement of the State Finance and Procurement Article and are  
21 validated by this Act.

22 3-902.

23 (a) The Department in consultation with the Board and the Department of  
24 Disabilities shall establish and administer a program to assist eligible program  
25 participants to purchase specialized customer premises equipment and for  
26 reimbursement of costs under § 3-906 of this subtitle in accordance with § 3-807 of  
27 this title and the State budget.

28 DRAFTER'S NOTE:

29 Error: Obsolete language in § 3-902(a) of the State Finance and  
30 Procurement Article.

31 Occurred: As a result of Ch. 425, Acts of 2004. Pursuant to Ch. 425,  
32 Section 8, the former reference to "Governor's Office for Individuals with  
33 Disabilities" was corrected by the publisher of the Annotated Code in the  
34 2004 Supplement of the State Finance and Procurement Article and is  
35 validated by this Act.

1 3-903.

2 (a) The Department, in consultation with the Board and the Department of  
3 Disabilities shall:

4 (1) provide a system for eligible program participants to purchase  
5 equipment, but no single eligible participant shall receive more than \$6,000;

6 (2) establish an information and referral service, including a [toll free]  
7 TOLL-FREE number for both voice and TDD, to provide information about the  
8 availability of the equipment;

9 (3) contract with private vendors or nonprofit organizations to provide  
10 the information and referral service and other auxiliary services;

11 (4) as necessary, establish interagency agreements with other State  
12 agencies [which] THAT provide technical assistance for disabled individuals to  
13 prevent duplicative programs; and

14 (5) appoint appropriate staff to assist the Board in carrying out its  
15 activities under this subtitle.

16 (b) The Board and the Department of Disabilities shall:

17 (1) assist the Department in the development of regulations;

18 (2) develop and implement educational outreach programs;

19 (3) review and monitor the program; and

20 (4) advise the Department on unusual hardship cases.

21 DRAFTER'S NOTE:

22 Error: Obsolete language in the introductory language of § 3-903(a) and  
23 (b); omitted hyphen in § 3-903(a)(2); grammatical error in § 3-903(a)(4) of  
24 the State Finance and Procurement Article.

25 Occurred: As to the introductory language of § 3-903(a) and (b), as a  
26 result of Ch. 425, Acts of 2004. Pursuant to Ch. 425, Section 8, the former  
27 references to "Governor's Office for Individuals with Disabilities" were  
28 corrected by the publisher of the Annotated Code in the 2004 Supplement  
29 of the State Finance and Procurement Article and are validated by this  
30 Act. As to § 3-903(a)(2) and (4), Ch. 770, Acts of 1989.

31 3-905.

32 The Department in consultation with the Board and the Department of  
33 Disabilities shall adopt regulations to carry out the purposes of this subtitle.

34 DRAFTER'S NOTE:

1 Error: Obsolete language in § 3-905 of the State Finance and  
2 Procurement Article.

3 Occurred: As a result of Ch. 425, Acts of 2004. Pursuant to Ch. 425,  
4 Section 8, the former reference to "Governor's Office for Individuals with  
5 Disabilities" was corrected by the publisher of the Annotated Code in the  
6 2004 Supplement of the State Finance and Procurement Article and is  
7 validated by this Act.

8 3-906.

9 (a) The Department in consultation with the Board and the Department of  
10 Disabilities shall enter into an agreement with the State Department of Education,  
11 Division of Library Development and Services, providing for an annual payment to be  
12 made to the Division in an amount equal to the cost incurred for the distribution of  
13 accessible information.

14 DRAFTER'S NOTE:

15 Error: Obsolete language in § 3-906(a) of the State Finance and  
16 Procurement Article.

17 Occurred: As a result of Ch. 425, Acts of 2004. Pursuant to Ch. 425,  
18 Section 8, the former reference to "Governor's Office for Individuals with  
19 Disabilities" was corrected by the publisher of the Annotated Code in the  
20 2004 Supplement of the State Finance and Procurement Article and is  
21 validated by this Act.

22 3-1002.

23 (a) The Department shall review and update as necessary [the]:

24 (1) THE goals developed in the managing for results State comprehensive  
25 plan; and

26 (2) the plan's objectives and performance measures.

27 DRAFTER'S NOTE:

28 Error: Erroneous placement of article in § 3-1002(a) of the State Finance  
29 and Procurement Article.

30 Occurred: Ch. 452, Acts of 2004.

31 7-208.

32 (c) An amendment of an appropriation for a program of the Legislative  
33 Branch of THE State government:

34 (1) may not increase the sum of the appropriations from the General  
35 Fund of the State for all the programs of the Legislative Branch; and

1 (2) may authorize the expenditure of money from a special fund or the  
2 federal government as provided in § 2-201 or § 7-217(a) of this article.

3 DRAFTER'S NOTE:

4 Error: Omitted word in § 7-208(c) of the State Finance and Procurement  
5 Article.

6 Occurred: Ch. 377, Acts of 1986.

7 7-209.

8 (e) (3) (ii) Funds transferred under this paragraph may not be expended  
9 by the recipient department or unit until each proposed budget amendment has been  
10 approved by:

- 11 1. the Secretary of [the Department of] Budget and  
12 Management;
- 13 2. the Governor; and
- 14 3. the Board of Public Works.

15 DRAFTER'S NOTE:

16 Error: Extraneous language in § 7-209(e)(3)(ii)1 of the State Finance and  
17 Procurement Article.

18 Occurred: Ch. 430, Acts of 2004.

19 7-314.

20 (m) If an executive agency fails to disburse transferred funds to a recipient  
21 within 1 year after the expected disbursement date presented to the Legislative  
22 Policy Committee under subsection (l) of this section, the funds will revert back to the  
23 Account and the Governor shall:

24 (1) resubmit the proposed budget amendment to transfer money [to]  
25 FROM the Account to the Legislative Policy Committee; and

26 (2) provide the Legislative Policy Committee with the information  
27 required under subsection (l) of this section.

28 (q) (4) (i) In this paragraph, "minority business enterprise" has the  
29 meaning stated in § 14-301 of [the State Finance and Procurement Article] THIS  
30 ARTICLE.

31 DRAFTER'S NOTE:

32 Error: Incorrect word usage in § 7-314(m)(1); stylistic error in §  
33 7-314(q)(4)(i) of the State Finance and Procurement Article.

1 Occurred: Ch. 430, Acts of 2004; Ch. 206, Acts of 2004.

2 8-112.

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

9 DRAFTER'S NOTE:

10 Error: Incorrect word usage in § 8-112(e)(3) of the State Finance and  
11 Procurement Article.

12 Occurred: Ch. 93, Acts of 1989.

13 11-203.

14 (e) (3) (ii) 2. In its review of a contract for services or capital  
15 improvements with a value that exceeds [\$500,000] \$500,000, the Board of Public  
16 Works may request the comments of the appropriate agencies, including the  
17 Department of Budget and Management and the Department of General Services.

18 (7) Paragraphs (3), (4), and (5) of this subsection do not apply to:

19 (iii) procurement by the University SYSTEM OF MARYLAND for:

20 1. services of managers to invest, in accordance with the  
21 management and investment policies adopted by the Board of Regents OF THE  
22 UNIVERSITY SYSTEM OF MARYLAND, gift and endowment assets received by the  
23 University SYSTEM OF MARYLAND in accordance with § 12-104(e) of the Education  
24 Article; or

25 2. expenditures to manage, maintain, and enhance, in  
26 accordance with the management and investment policies adopted by the Board of  
27 Regents OF THE UNIVERSITY SYSTEM OF MARYLAND, the value of gift and  
28 endowment assets received by the University SYSTEM OF MARYLAND in accordance  
29 with § 12-104(e) of the Education Article.

30 DRAFTER'S NOTE:

31 Error: Omitted comma in § 11-203(e)(3)(ii)2; misnomer and omitted  
32 language in § 11-203(e)(7)(iii) of the State Finance and Procurement  
33 Article.

34 Occurred: Ch. 515, Acts of 1999; Ch. 485, Acts of 2004.

1 13-107.1.

2 (c) (1) There is an interagency panel consisting of representatives appointed  
3 by the Governor from the following:

4 (i) the Department of Health and Mental Hygiene;

5 (ii) the Department of Human Resources;

6 (iii) the Department of Labor, Licensing, and Regulation;

7 (iv) the Department of Juvenile Services;

8 (v) the Department of Disabilities;

9 (vi) the Department of Aging;

10 (vii) the Department of Business and Economic Development; and

11 (viii) the Council on Management and Productivity.

12 (k) The following agencies shall implement an educational outreach campaign  
13 on the availability of the unsolicited proposal method of procurement:

14 (1) the Department of Health and Mental Hygiene;

15 (2) the Department of Human Resources;

16 (3) the Department of Labor, Licensing, and Regulation;

17 (4) the Department of Juvenile Services;

18 (5) the Department of Disabilities;

19 (6) the Department of Aging; and

20 (7) the Department of Business and Economic Development.

21 DRAFTER'S NOTE:

22 Error: Obsolete language in § 13-107.1(c)(1)(v) and (k)(5) of the State  
23 Finance and Procurement Article.

24 Occurred: Ch. 425, Acts of 2004. Pursuant to Ch. 425, Section 8, the  
25 former references to "Governor's Office for Individuals with Disabilities"  
26 were corrected by the publisher of the Annotated Code in the 2004  
27 Supplement of the State Finance and Procurement Article and are  
28 validated by this Act.



1 **Article - State Government**

2 6-308.

3 On or before January 1 of each year, the Division shall report to the Governor  
4 and, subject to § 2-1246 of [the State Government Article] THIS ARTICLE, to the  
5 General Assembly on the activities of the Division during the prior fiscal year.

6 DRAFTER'S NOTE:

7 Error: Stylistic error in § 6-308 of the State Government Article.

8 Occurred: Ch. 5 of the Acts of the 2004 Special Session.

9 8-403.

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

14 (1) Acupuncture Board, State (§ 1A-201 of the Health Occupations  
15 Article: July 1, 2014);

16 (2) Adolescent Pregnancy, Governor's Council on (Article 49D, § 21 of the  
17 Code: July 1, 2003);

18 (3) Amusement Ride Safety, State Advisory Board (§ 3-303 of the  
19 Business Regulation Article: July 1, 2013);

20 (4) Apprenticeship and Training Council (§ 11-403 of the Labor and  
21 Employment Article: July 1, 2013);

22 (5) Architects, State Board of (§ 3-201 of the Business Occupations and  
23 Professions Article: July 1, 2012);

24 (6) Athletic Commission, State (§ 4-201 of the Business Regulation  
25 Article: July 1, 2010);

26 (7) Audiologists, Hearing Aid Dispensers, and Speech-Language  
27 Pathologists, State Board of Examiners for (§ 2-201 of the Health Occupations  
28 Article: July 1, 2015);

29 (8) Banking Board (§ 2-201 of the Financial Institutions Article: July 1,  
30 2011);

31 (9) Barbers, State Board of (§ 4-201 of the Business Occupations and  
32 Professions Article: July 1, 2010);

33 (10) Boiler Rules, Board of (§ 12-904 of the Public Safety Article: July 1,  
34 2013);

- 1 (11) Cemetery Oversight, Office of (§ 5-201 of the Business Regulation  
2 Article: July 1, 2006);
- 3 (12) Children, Youth, and Families, Office for (Article 49D, § 1 of the Code:  
4 July 1, 2004);
- 5 (13) Chiropractic Examiners, State Board of (§ 3-201 of the Health  
6 Occupations Article: July 1, 2011);
- 7 (14) Collection Agency Licensing Board, State (§ 7-201 of the Business  
8 Regulation Article: July 1, 2011);
- 9 (15) Cosmetologists, State Board of (§ 5-201 of the Business Occupations  
10 and Professions Article: July 1, 2010);
- 11 (16) Counselors and Therapists, State Board of Professional (§ 17-201 of  
12 the Health Occupations Article: July 1, 2008);
- 13 (17) Dental Examiners, State Board of (§ 4-201 of the Health Occupations  
14 Article: July 1, 2005);
- 15 (18) Dietetic Practice, State Board of (§ 5-201 of the Health Occupations  
16 Article: July 1, 2014);
- 17 [(19) Repealed by Acts of 2004 Ch. 520, § 2, effective October 1, 2004.
- 18 (20) Economic Growth, Resource Protection, and Planning Commission,  
19 State (§ 5-702 of the State Finance and Procurement Article: July 1, 2002);
- 20 (21) (19) Electricians, State Board of Master (§ 6-201 of the Business  
21 Occupations and Professions Article: July 1, 2012);
- 22 [(22)] (20) Electrology Practice Committee (§ 8-6B-05 of the Health  
23 Occupations Article: July 1, 2012);
- 24 [(23)] (21) Elevator Safety Review Board (§§ 12-819 through 12-841 of the  
25 Public Safety Article: July 1, 2013);
- 26 [(24)] (22) Engineers, Board of Examining (§ 4-1 of the Public Local Laws  
27 of Baltimore City: July 1, 2004);
- 28 [(25)] (23) Engineers, State Board for Professional (§ 14-201 of the  
29 Business Occupations and Professions Article: July 1, 2012);
- 30 [(26)] (24) Environmental Sanitarians, State Board of (§ 11-201 of the  
31 Environment Article: July 1, 2012);
- 32 [(27)] (25) Financial Regulation, Office of the Commissioner of (§ 2-101 of  
33 the Financial Institutions Article: July 1, 2011);

1 [(28)] (26) Foresters, State Board of (§ 7-201 of the Business Occupations  
2 and Professions Article: July 1, 2014);

3 [(29)] (27) Health Care Commission, Maryland (§ 19-103 of the Health -  
4 General Article: July 1, 2007);

5 [(30)] (28) Health Services Cost Review Commission, State (§ 19-202 of  
6 the Health - General Article: July 1, 2007);

7 [(31)] (29) Heating, Ventilation, Air-Conditioning, and Refrigeration  
8 Contractors, State Board of (§ 9A-201 of the Business Regulation Article: July 1,  
9 2012);

10 [(32)] (30) Home Improvement Commission, Maryland (§ 8-201 of the  
11 Business Regulation Article: July 1, 2011);

12 [(33)] (31) Horse Industry Board, Maryland (§ 2-701 of the Agriculture  
13 Article: July 1, 2005);

14 [(34)] (32) Individuals with Disabilities, Office for (§ 9-1102 of the State  
15 Government Article: July 1, 2014);

16 [(35)] (33) Insurance Administration (§§ 2-101 and 2-103 of the Insurance  
17 Article: July 1, 2012);

18 [(36)] (34) Interior Designers, State Board of Certified (§ 8-201 of the  
19 Business Occupations and Professions Article: July 1, 2013);

20 [(37)] (35) Labor and Industry, Division of (Title 2 of the Labor and  
21 Employment Article: July 1, 2013);

22 [(38)] (36) Land Surveyors, State Board for Professional (§ 15-201 of the  
23 Business Occupations and Professions Article: July 1, 2012);

24 [(39)] (37) Landscape Architects, State Board of Examiners of (§ 9-201 of  
25 the Business Occupations and Professions Article: July 1, 2012);

26 [(40)] (38) Law Examiners, State Board of (§ 10-201 of the Business  
27 Occupations and Professions Article: July 1, 2009);

28 [(41)] (39) Maryland-Bred Race Fund Advisory Committee (§ 11-531 of  
29 the Business Regulation Article: July 1, 2010);

30 [(42)] Radiation Oncology/Therapy Technologists, Medical Radiation  
31 Technologists, and Nuclear Medicine Technologists Advisory Committee (§ 14-5B-05  
32 of the Health Occupations Article: July 1, 2012);]

33 [(43)] (40) Morticians, State Board of (§ 7-201 of the Health Occupations  
34 Article: July 1, 2007);

- 1 [(44)] (41) Nursing, State Board of (§ 8-201 of the Health Occupations  
2 Article: July 1, 2012);
- 3 [(45)] (42) Nursing Home Administrators, State Board of Examiners of (§  
4 9-201 of the Health Occupations Article: July 1, 2012);
- 5 [(46)] (43) Occupational Safety and Health Advisory Board (§ 5-302 of the  
6 Labor and Employment Article: July 1, 2013);
- 7 [(47)] (44) Occupational Therapy Practice, State Board of (§ 10-201 of the  
8 Health Occupations Article: July 1, 2014);
- 9 [(48)] (45) Optometry, State Board of Examiners in (§ 11-201 of the Health  
10 Occupations Article: July 1, 2012);
- 11 [(49)] (46) Pharmacy, State Board of (§ 12-201 of the Health Occupations  
12 Article: July 1, 2012);
- 13 [(50)] (47) Physical Therapy Examiners, State Board of (§ 13-201 of the  
14 Health Occupations Article: July 1, 2011);
- 15 [(51)] (48) Physician Assistant Advisory Committee (§ 15-201 of the  
16 Health Occupations Article: July 1, 2012);
- 17 [(52)] (49) Physicians, State Board of (§ 14-201 of the Health Occupations  
18 Article: July 1, 2006);
- 19 [(53)] (50) Pilots, State Board of (§ 11-201 of the Business Occupations  
20 and Professions Article: July 1, 2012);
- 21 [(54)] (51) Plumbing, State Board of (§ 12-201 of the Business Occupations  
22 and Professions Article: July 1, 2012);
- 23 [(55)] (52) Podiatric Medical Examiners, State Board of (§ 16-201 of the  
24 Health Occupations Article: July 1, 2011);
- 25 [(56)] (53) Prevailing Wage Rates, Advisory Council on (§ 17-203 of the  
26 State Finance and Procurement Article: July 1, 2013);
- 27 [(57)] (54) Psychologists, State Board of Examiners of (§ 18-201 of the  
28 Health Occupations Article: July 1, 2012);
- 29 [(58)] (55) Public Accountancy, State Board of (§ 2-201 of the Business  
30 Occupations and Professions Article: July 1, 2014);
- 31 [(59)] (56) Racing Commission, State (§ 11-201 of the Business Regulation  
32 Article: July 1, 2010);
- 33 (57) RADIATION ONCOLOGY/THERAPY TECHNOLOGISTS, MEDICAL  
34 RADIATION TECHNOLOGISTS, AND NUCLEAR MEDICINE TECHNOLOGISTS ADVISORY  
35 COMMITTEE (§ 14-5B-05 OF THE HEALTH OCCUPATIONS ARTICLE: JULY 1, 2012);

1 [(60)] (58) Real Estate Appraisers and Home Inspectors, State  
2 Commission of (§ 16-201 of the Business Occupations and Professions Article: July 1,  
3 2012);

4 [(61)] (59) Real Estate Commission, State (§ 17-201 of the Business  
5 Occupations and Professions Article: July 1, 2011);

6 [(62)] Real Estate Hearing Board (§ 17-325 of the Business Occupations  
7 and Professions Article: July 1, 2001);

8 (63)] (60) Residential Child Care Program Administrators, State Board  
9 for Certification of (§ 20-202 of the Health Occupations Article: July 1, 2013);

10 [(64)] (61) Respiratory Care Professional Standards Committee, State (§  
11 14-5A-05 of the Health Occupations Article: July 1, 2012);

12 [(65)] (62) Security Systems Technicians, Licensing and Regulation of (§  
13 18-201 of the Business Occupations and Professions Article: July 1, 2015);

14 [(66)] (63) Social Work Examiners, State Board of (§ 19-201 of the Health  
15 Occupations Article: July 1, 2013);

16 [(67)] (64) Standardbred Race Fund Advisory Committee, Maryland (§  
17 11-625 of the Business Regulation Article: July 1, 2010);

18 [(68)] (65) Tobacco Authority (§ 7-201 of the Agriculture Article: July 1,  
19 2005);

20 [(69)] (66) Veterinary Medical Examiners, State Board of (§ 2-302 of the  
21 Agriculture Article: July 1, 2010);

22 [(70)] (67) Waterworks and Waste Systems Operators, State Board of (§  
23 12-201 of the Environment Article: July 1, 2010); and

24 [(71)] (68) Well Drillers, State Board of (§ 13-201 of the Environment  
25 Article: July 1, 2010).

26 DRAFTER'S NOTE:

27 Error: Obsolete requirement in § 8-403(b)(20) of the State Government  
28 Article.

29 Occurred: As a result of the termination provision enacted in Chapter  
30 437, Acts of 1992.

31 Error: Obsolete requirement in § 8-403(b)(62) of the State Government  
32 Article.

33 Occurred: As a result of § 8-411(a)(2) of the State Government Article,  
34 which provides that after the period of reestablishment has expired the  
35 governmental unit terminates unless it is reestablished.

1 Error: Codification error resulting from failure to place provision in  
2 proper alphabetical order in § 8-403(b)(42) of the State Government  
3 Article.

4 Occurred: Ch. 373, Acts of 2002.

5 9-2603.

6 (b) (1) The Board shall consist of 37 members[, of whom:

7 (i) two shall serve ex officio], as follows:

8 [1.] (I) the Mayor of Baltimore, SERVING EX OFFICIO, or the  
9 Mayor's designee; and

10 [2. the Chairman of the Commission on African American  
11 History and Culture or the Chairman's designee; and]

12 (ii) [thirty-five shall be] THIRTY-SIX MEMBERS appointed by the  
13 Governor, as follows:

14 1. one representative of Morgan State University, approved  
15 by the Board of Regents of the University;

16 2. [two members of the Commission on African American  
17 History and Culture,] THE CHAIRMAN OF THE COMMISSION ON AFRICAN AMERICAN  
18 HISTORY AND CULTURE OR THE CHAIRMAN'S DESIGNEE AND TWO OTHER  
19 COMMISSION MEMBERS approved by the Commission, to provide continuing  
20 coordination and cooperation between the Corporation and the Commission and to  
21 ensure consistency with the statewide programs and mandates of the Commission;

22 3. four representatives of African American historical or  
23 cultural institutions in the State; and

24 4. twenty-eight members who have expertise in African  
25 American history, culture, museums, or related areas, expertise in fund-raising, or  
26 represent the diversity of communities throughout the State that can benefit from the  
27 activities of the Corporation.

28 DRAFTER'S NOTE:

29 Error: Incorrect tabulation in §§ 9-2603(b)(1)(i) and (ii)2 of the State  
30 Government Article.

31 Occurred: Ch. 26, Acts of 2004.

32 10-630.

33 THIS PART III OF THIS SUBTITLE MAY BE CITED AS THE PUBLIC INFORMATION  
34 ACT.

## 1 DRAFTER'S NOTE:

2 Error: Failure to carry name of former Article 76A - "Public Information"  
3 forward when provisions derived from former Article 76A were revised in  
4 Title 10, Subtitle 6, Part III of the State Government Article. Correction is  
5 consistent with numerous cross-references in the Annotated Code to the  
6 "Public Information Act".

7 Occurred: Ch. 284, Acts of 1984.

8 12-101.

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

11 (10) a member of a LOCAL board of [supervisors of] elections [of a county  
12 or Baltimore City], or an employee of a LOCAL board of [supervisors of] elections;

## 13 DRAFTER'S NOTE:

14 Error: Obsolete terminology in § 12-101(a)(10) of the State Government  
15 Article.

16 Occurred: As a result of an administratively changed board name arising  
17 from Ch. 291, Acts of 2002.

18 12-301.

19 This subtitle does not apply to:

20 (2) a LOCAL board of [supervisors of] elections [of a county];

## 21 DRAFTER'S NOTE:

22 Error: Obsolete terminology in § 12-301(2) of the State Government  
23 Article.

24 Occurred: As a result of an administratively changed board name arising  
25 from Ch. 291, Acts of 2002.

26 15-516.

27 (b) Public access and inspection of an activity or record of the Joint Ethics  
28 Committee shall be available for:

29 (3) information relating to any complaint, proceeding, or record of the  
30 Joint Ethics Committee involving an individual member of the General Assembly, if  
31 consent to public access and inspection is granted by:

32 (ii) the Joint ETHICS Committee, upon three-fourths vote of the  
33 membership of the Joint ETHICS Committee based on criteria established by rule;

1 (4) an opinion or rule issued by the Joint ETHICS Committee; or

2 DRAFTER'S NOTE:

3 Error: Omitted word in §§ 15-516(b)(3)(ii) and (4) of the State  
4 Government Article.

5 Occurred: Ch. 129, Acts of 1999.

6 **Article - State Personnel and Pensions**

7 11-208.

8 (b) Reinstatement to a comparable class to which the Secretary has certified  
9 EMPLOYEES WHO WERE laid-off or WHO WERE separated under § 11-302 of this title  
10 [employees] shall be made from among the five laid-off or separated [under §  
11 11-302 of this title] employees with the most seniority points who are certified to the  
12 class.

13 DRAFTER'S NOTE:

14 Error: Syntactical and stylistic errors in § 11-208(b) of the State  
15 Personnel and Pensions Article.

16 Occurred: Ch. 347, Acts of 1996.

17 11-305.

18 (a) This section only applies to an employee who is in a position:

19 (1) under a special appointment; [or]

20 DRAFTER'S NOTE:

21 Error: Extraneous conjunction in § 11-305(a)(1) of the State Personnel  
22 and Pensions Article.

23 Occurred: Ch. 347, Acts of 1996.

24 21-123.

25 (f) (1) Notwithstanding any other law in force on or after July 1, 1988,  
26 unless the law makes specific reference to this subsection, and subject to paragraph  
27 (2) of this subsection, the Board of Trustees may keep all analyses, forecasts,  
28 negotiations, papers, records, recommendations, and reports closed to public  
29 inspection until:

30 (i) the release of the information would not adversely [effect]

31 AFFECT the negotiation for or market price of a security; and

32 DRAFTER'S NOTE:



1 Error: Incorrect word usage in § 21-123(f)(1)(i) of the State Personnel  
2 and Pensions Article.

3 Occurred: Ch. 6, Acts of 1994.

4 21-305.3.

5 (d) Except as provided in subsection (e) of this section, the annual special  
6 accrued liability contribution of each participating governmental unit shall be the  
7 level annual payment that is sufficient to liquidate, over 25 years beginning on the  
8 date of approval by the legislative body of the participating governmental unit, the  
9 amount by which the special accrued liability of the participating governmental unit  
10 exceeds the sum of:

11 (2) any cash and securities transferred to the [employees' system]  
12 EMPLOYEES' PENSION SYSTEM in accordance with § 31-113(d) of this article.

13 DRAFTER'S NOTE:

14 Error: Misnomer in § 21-305.3(d)(2) of the State Personnel and Pensions  
15 Article.

16 Occurred: Ch. 661, Acts of 1996.

17 22-220.

18 (a) This section applies only to a member who[:

19 (1)] is subject to Selection B (Limited cost-of-living adjustment) on  
20 October 1, 1994[; or

21 (2) on or after October 1, 1994, elects Selection B (Limited cost-of-living  
22 adjustment) under § 22-219(c) of this subtitle].

23 DRAFTER'S NOTE:

24 Error: Obsolete language in § 22-220(a) of the State Personnel and  
25 Pensions Article.

26 Occurred: As a result of Ch. 532, Acts of 2004.

27 24-401.1.

28 (h) (5) During the period that a DROP member participates in the DROP,  
29 the DROP member shall:

30 (i) continue to receive compensation, health insurance and other  
31 benefit options established under the State Employee and Retiree Health and Welfare  
32 Benefit Program administered by the Secretary of [the Department of] Budget and  
33 Management, and any other benefits as an employee of the Maryland State Police;

## 1 DRAFTER'S NOTE:

2 Error: Stylistic error in § 24-401.1(h)(5)(i) of the State Personnel and  
3 Pensions Article.

4 Occurred: Chs. 122 and 123, Acts of 1999.

5 26-201.

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

8 (12) an employee of the Motor Vehicle Administration commissioned by  
9 the Secretary of [the Department of] Transportation as a Motor Vehicle  
10 Administration police officer;

## 11 DRAFTER'S NOTE:

12 Error: Stylistic error in § 26-201(a)(12) of the State Personnel and  
13 Pensions Article.

14 Occurred: Ch. 397, Acts of 2000.

15 26-401.1.

16 (h) (5) During the period that a DROP member participates in the DROP,  
17 the DROP member shall:

18 (i) continue to receive compensation, health insurance, and other  
19 benefit options established under the State Employee and Retiree Health and Welfare  
20 Benefit Program administered by the Secretary of [the Department of] Budget and  
21 Management, and any other benefits as an employee of the State;

## 22 DRAFTER'S NOTE:

23 Error: Stylistic error in § 26-401.1(h)(5)(i) of the State Personnel and  
24 Pensions Article.

25 Occurred: Ch. 395, Acts of 2000.

26 31-2A-03.

27 (c) If at least 60% of the firefighters of an eligible governmental unit who are  
28 members of a local pension system petition to become members of the Law  
29 Enforcement Officers' PENSION System, the legislative body of the eligible  
30 governmental unit may approve the participation of these firefighters in the Law  
31 Enforcement Officers' PENSION System as though the local pension system were not  
32 in operation.

## 33 DRAFTER'S NOTE:

1 Error: Omitted word in § 31-2A-03(c) of the State Personnel and  
2 Pensions Article.

3 Occurred: Ch. 532, Acts of 2004.

4 34-101.

5 (g) For fiscal year 2006 through fiscal year [2016] 2015, no payments may be  
6 made from the Postretirement Health Benefits Trust Fund.

7 DRAFTER'S NOTE:

8 Error: Erroneous year reference in § 34-101(g) of the State Personnel  
9 and Pensions Article.

10 Occurred: Ch. 466, Acts of 2004.

11 **Article - Tax - General**

12 7-203.

13 (b) (2) The inheritance tax does not apply to the receipt of property that  
14 passes from a decedent to or for the use of:

15 (v) a spouse of a child of the decedent or a spouse of a lineal  
16 descendant of a child of the decedent;

17 DRAFTER'S NOTE:

18 Error: Extraneous word in § 7-203(b)(2)(v) of the Tax - General Article.

19 Occurred: Ch. 145, Acts of 2004. Correction by the publisher of the  
20 Annotated Code in the 2004 Supplement of the Tax - General Article is  
21 validated by this Act.

22 **Article - Tax - Property**

23 9-105.

24 (a) (6) "Agricultural limited liability company" means a limited liability  
25 company that:

26 (i) owns real property that:

27 2. includes land used as a homesite that is part of or  
28 contiguous to a parcel described in [item 1.] ITEM 1 of this item;

29 DRAFTER'S NOTE:

30 Error: Extraneous period in § 9-105(a)(6)(i)2 of the Tax - Property  
31 Article.

1 Occurred: Ch. 501, Acts of 2004. Correction by the publisher of the  
2 Annotated Code in the 2004 Supplement of the Tax - Property Article is  
3 ratified by this Act.

4 **Article - Transportation**

5 2-103.1.

6 (g) Beginning with the year 2002 State Report on Transportation and  
7 continuing thereafter, before the General Assembly considers the proposed Maryland  
8 Transportation Plan and THE proposed Consolidated Transportation Program, the  
9 Department shall submit an annual report on the attainment of transportation goals  
10 and benchmarks for the approved and proposed Maryland Transportation Plan and  
11 THE approved and proposed Consolidated Transportation Program to the Governor  
12 and, subject to § 2-1246 of the State Government Article, to the General Assembly.

13 DRAFTER'S NOTE:

14 Error: Omitted articles in § 2-103.1(g) of the Transportation Article.

15 Occurred: Ch. 303, Acts of 2000.

16 2-103.3.

17 (c) (4) The Secretary shall consult with the Department of Aging and the  
18 Department of Disabilities in distributing the funds available under this section.

19 (e) (1) If any of the allocated funds described in subsection (c) of this section  
20 are not applied for by the counties within 6 months after the beginning of the fiscal  
21 year, the Secretary shall make those funds available to counties pursuant to  
22 application procedures and criteria developed by the Secretary, in consultation with  
23 the Department of Aging and the Department of Disabilities. The criteria shall  
24 provide that:

25 (i) Such funds may be made available to counties in which the  
26 Secretary determines that additional funds for transportation service to the elderly  
27 and handicapped are most needed; and

28 (ii) Local match requirements described in subsection (f) of this  
29 section shall apply to all disbursements.

30 (g) The Secretary, in consultation with the Department of Aging and the  
31 Department of Disabilities, shall develop procedures for the proper enforcement of  
32 this section. The procedures shall provide that:

33 (1) A county shall use all amounts distributed to it under this section  
34 only for the acquisition or replacement of equipment or for the operating costs of the  
35 county's transportation service;

1           (2)     A county, in consultation with the local area agency on aging, shall  
2 determine the most effective means of serving the transportation needs of its elderly  
3 and handicapped residents;

4           (3)     Each county shall cooperate with the others to best serve the  
5 transportation needs of the State's elderly and handicapped residents; and

6           (4)     A county administering a transportation service that receives funds  
7 under this section:

8                   (i)     Shall provide trips for any purpose;

9                   (ii)    Shall serve the elderly and handicapped citizens within the  
10 service areas identified in its application;

11                  (iii)   May not restrict its transportation service to clients of social  
12 service agencies;

13                  (iv)    May establish reasonable fares; and

14                  (v)     May permit persons other than the elderly and handicapped to  
15 use or benefit from its transportation service to the extent capacity is available.

16   (h)     The Secretary in consultation with the Department of Aging and the  
17 Department of Disabilities shall monitor the use of funds provided under this section.

18 DRAFTER'S NOTE:

19   Error: Obsolete language in § 2-103.3(c)(4), (e)(1), (g), and (h) of the  
20 Transportation Article.

21   Occurred: As a result of Ch. 425, Acts of 2004. Pursuant to Ch. 425,  
22 Section 8, the former references to "Governor's Office for Individuals with  
23 Disabilities" were corrected by the publisher of the Annotated Code in the  
24 2004 Supplement of the Transportation Article and are validated by this  
25 Act.

26 2-606.

27   (b)     The Committee shall consist of the following:

28           (1)     1 representative each from:

29                   (viii)   The Department of Disabilities;

30 DRAFTER'S NOTE:

31   Error: Obsolete language in § 2-606(b)(1)(viii) of the Transportation  
32 Article.

33   Occurred: As a result of Ch. 425, Acts of 2004. Pursuant to Ch. 425,

1 Section 8, the former reference to "Governor's Office for Individuals with  
2 Disabilities" was corrected by the publisher of the Annotated Code in the  
3 2004 Supplement of the Transportation Article and is validated by this Act.

4 4-101.

5 (i) "Transportation facilities project" includes:

6 (1) The Susquehanna River Bridge, the Harry W. Nice Memorial  
7 Potomac River Bridge, the William Preston Lane, Jr. Memorial Chesapeake Bay  
8 Bridge and parallel Chesapeake Bay Bridge, the Baltimore Harbor Tunnel, THE FORT  
9 MCHENRY TUNNEL, the Francis Scott Key Bridge, and the John F. Kennedy Memorial  
10 Highway, together with their appurtenant causeways, approaches, interchanges,  
11 entrance plazas, toll stations, and service facilities;

12 DRAFTER'S NOTE:

13 Error: Omitted language in § 4-101(i)(1) of the Transportation Article.

14 Occurred: As a result of acquisition of the Fort McHenry Tunnel by the  
15 Maryland Transportation Authority from Baltimore City in 1983.

16 8-627.

17 (b) This section applies to property owned by a person, the State, or A political  
18 subdivision:

19 (1) Engaged in, or preparing to engage in, the manufacture,  
20 transportation, or storage of a product to be used in a defense-related activity;

21 (2) Engaged in, or preparing to engage in, the manufacture,  
22 transportation, distribution, or storage of gas, oil, coal, electricity, or water; or

23 (3) Operating a public utility.

24 DRAFTER'S NOTE:

25 Error: Omitted article in § 8-627(b) of the Transportation Article.

26 Occurred: Ch. 166, Acts of 2001.

27 13-618.

28 (d) (4) No portion of the additional initial registration or renewal fees may  
29 be credited to the Gasoline and Motor Vehicle Revenue Account for distribution under  
30 § 8-403 or § 8-404 of [the Transportation Article] THIS ARTICLE.

31 DRAFTER'S NOTE:

32 Error: Stylistic error in § 13-618(d)(4) of the Transportation Article.

1 Occurred: Ch. 69, Acts of 1990.

2 13-815.

3 (a) (4) "Maximum available power" means the maximum value of the sum of  
4 the heat engine and electric drive system power or other [non-heat] NONHEAT  
5 energy conversion devices available for a driver's command for maximum acceleration  
6 at vehicle speeds under 75 miles per hour.

7 (6) "Qualified hybrid vehicle" means an automobile that:

8 (i) Meets all applicable regulatory requirements;

9 (ii) Meets the current vehicle exhaust standard set under the  
10 National Low-Emission Vehicle Program for gasoline-powered passenger cars; and

11 (iii) Can draw propulsion energy from both of the following  
12 [on-board] ONBOARD sources of stored energy:

13 1. Gasoline or diesel fuel; and

14 2. A rechargeable energy storage system.

15 (g) On or after October 1 of each year, the [Motor Vehicle] Administration  
16 shall certify to the [comptroller] COMPTROLLER the total amount of credits allowed  
17 under this section against the excise tax for the preceding fiscal year.

18 DRAFTER'S NOTE:

19 Error: Extraneous hyphen in § 13-815(a)(4) and (a)(6)(iii); stylistic error  
20 and capitalization error in § 13-815(g) of the Transportation Article.

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

22 13-920.

23 (a) (1) In this [section] SECTION, "tow truck" means a vehicle that:

24 (i) Is a Class E (truck) vehicle that is designed to lift, pull, or carry  
25 a vehicle by a hoist or mechanical apparatus;

26 (ii) Has a manufacturer's gross vehicle weight rating of 10,000  
27 pounds or more; and

28 (iii) Is equipped as a tow truck or designed as a rollback as defined  
29 in § 11-151.1 of this article.

30 DRAFTER'S NOTE:

31 Error: Omitted comma in § 13-920(a)(1) of the Transportation Article.

1 Occurred: Ch. 701, Acts of 1990.

2 16-205.1.

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

5 DRAFTER'S NOTE:

6 Error: Extraneous comma in § 16-205.1(a)(1)(i) of the Transportation  
7 Article.

8 Occurred: Ch. 413, Acts of 1990.

9 16-815.

10 (a) (1) A Class A commercial driver's license authorizes the licensee to drive  
11 the following motor vehicles and combinations of motor vehicles:

12 (i) Any [combinations] COMBINATION of vehicles with a gross  
13 combination weight of 26,001 or more pounds if the GVW of the vehicles being towed  
14 is in excess of 10,000 pounds; and

15 (ii) Any vehicle or combination of vehicles that a Class B  
16 commercial driver's license authorizes its holder to drive.

17 DRAFTER'S NOTE:

18 Error: Incorrect word usage in § 16-815(a)(1)(i) of the Transportation  
19 Article.

20 Occurred: Ch. 291, Acts of 1989.

21 23-201.

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

23 DRAFTER'S NOTE:

24 Error: Extraneous comma in § 23-201(a) of the Transportation Article.

25 Occurred: Ch. 517, Acts of 1983.

26 23-301.

27 (a) In this subtitle[,] the following words have the meanings indicated.

28 DRAFTER'S NOTE:

29 Error: Extraneous comma in § 23-301(a) of the Transportation Article.

30 Occurred: Ch. 106, Acts of 1988.



1 27-101.

2 (k) (2) For the purpose of second or subsequent offender penalties for  
3 violation of § 21-902(a) of this article provided under this subsection, a prior  
4 conviction [of] UNDER § 21-902(b), (c), or (d) of this article, within 5 years of the  
5 conviction for a violation of § 21-902(a) of this article, shall be considered a conviction  
6 [of] UNDER § 21-902(a) of this article.

7 (3) For the purpose of second or subsequent offender penalties for  
8 violation of § 21-902(d) of this article provided under this subsection, a prior  
9 conviction [of] UNDER § 21-902(a), (b), or (c) of this article, within 5 years of the  
10 conviction for a violation of § 21-902(d) of this article, shall be considered a conviction  
11 [of] UNDER § 21-902(d) of this article.

12 DRAFTER'S NOTE:

13 Error: Incorrect word usage in § 27-101(k)(2) and (3) of the  
14 Transportation Article.

15 Occurred: Ch. 592, Acts of 1994; Ch. 334, Acts of 2004.

16 27-107.

17 (a) In this [section] SECTION, "ignition interlock system" means a device that:

18 (1) Connects a motor vehicle ignition system to a breath analyzer that  
19 measures a driver's blood alcohol level; and

20 (2) Prevents a motor vehicle ignition from starting if a driver's blood  
21 alcohol level exceeds the calibrated setting on the device.

22 DRAFTER'S NOTE:

23 Error: Omitted comma in § 27-107(a) of the Transportation Article.

24 Occurred: Chs. 252 and 253, Acts of 1988.

25 **Chapter 246 of the Acts of 2000, as amended by Chapter 160 of the Acts of**  
26 **2004**

27 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
28 MARYLAND, That:

29 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer  
30 and first shall be applied to the payment of the expenses of issuing, selling, and  
31 delivering the bonds, unless funds for this purpose are otherwise provided, and then  
32 shall be credited on the books of the Comptroller and expended, on approval by the  
33 Board of Public Works, for the following public purposes, including any applicable  
34 architects' and engineers' fees: as a grant to the Board of Directors of the U.S.S.  
35 Constellation Museum, Inc. (referred to hereafter in this Act as "the grantee") for the

1 design, repair, restoration, improvement, and preservation of the U.S.S.  
2 Constellation.

3 DRAFTER'S NOTE:

4 Error: Misnomer in Section 1(3) of Ch. 246, Acts of 2000, as amended by  
5 Ch. 160 of the Acts of 2004.

6 Occurred: Ch. 160, Acts of 2004.

7 **Chapter 5 of the Acts of the 2004 Special Session**

8 SECTION 3. AND BE IT FURTHER ENACTED, That §§ 3-2A-01,  
9 3-2A-05(h), and 5-615 of the Courts Article [and § 1-401 of the Health Occupations  
10 Article], as enacted by Section 1 of this Act, shall be construed to apply only  
11 prospectively and may not be applied or interpreted to have any effect on or  
12 application to any cause of action arising before the effective date of this Act.

13 DRAFTER'S NOTE:

14 Error: Extraneous cross-reference in Section 3 of Ch. 5, Acts of the 2004  
15 Special Session.

16 Occurred: Ch. 5, Acts of the 2004 Special Session.

17 SECTION 4. AND BE IT FURTHER ENACTED, That §§ 3-2A-04(b),  
18 3-2A-06(b)[, (f) and (i)] AND (F), 3-2A-06C, 3-2A-06D, and 3-2A-08A of the Courts  
19 Article and § 14-405 of the Health Occupations Article, as enacted by Section 1 of this  
20 Act, shall be construed to apply only prospectively and may not be applied or  
21 interpreted to have any effect on or application to any claim filed in the Health  
22 Claims Arbitration Office or case filed in a court before the effective date of this Act.

23 DRAFTER'S NOTE:

24 Error: Erroneous cross-reference in Section 4 of Ch. 5, Acts of the 2004  
25 Special Session.

26 Occurred: Ch. 5, Acts of the 2004 Special Session.

27 [SECTION 11. AND BE IT FURTHER ENACTED, That:

28 (a) Except for a managed care organization authorized by Title 15, Subtitle 1  
29 of the Health - General Article, an insurer, nonprofit health service plan, health  
30 maintenance organization, dental plan, organization, or any other person that  
31 provides health benefit plans subject to regulation by the State may not reimburse a  
32 health care practitioner in an amount less than the global fee, capitation rate, or per  
33 unit sum or rate being paid to the health care practitioner on November 1, 2004; and

34 (b) The Maryland Health Care Commission shall study the impact of the  
35 reimbursement requirements in subsection (a) of this Section on access to health care,

1 health care costs, and the health insurance market and shall report the results of its  
2 study to the Governor and, subject to § 2-1246 of the State Government Article, the  
3 General Assembly, on or before January 1, 2006.]

4 [SECTION 12. AND BE IT FURTHER ENACTED, That Section 11 of this Act  
5 shall take effect January 1, 2005. It shall remain effective for a period of 1 year and 6  
6 months and, at the end of June 30, 2006, with no further action required by the  
7 General Assembly, Section 11 of this Act shall be abrogated and of no further force and  
8 effect.]

9 DRAFTER'S NOTE:

10 Error: Failure to strike extraneous language in Sections 11 and 12 of Ch.  
11 5, Acts of the 2004 Special Session, consistent with legislative intent as  
12 indicated by amendments to the title of the Act.

13 Occurred: As a result of amendments to the title of Ch. 5, Acts of the 2004  
14 Special Session, which removed language describing the effect of Sections  
15 11 and 12 of the Act. Because Sections 11 and 12 were not reflected in the  
16 title of the Act, they could not be given effect under Art. III, § 29 of the  
17 Maryland Constitution. Correction in this Act suggested by Attorney  
18 General J. Joseph Curran in Bill Review Letter for H.B. 2 (Ch. 5) of the  
19 2004 Special Session.

20 SECTION 15. AND BE IT FURTHER ENACTED, That[, subject to Section 12  
21 of this Act,] this Act is an emergency measure, is necessary for the immediate  
22 preservation of the public health or safety, has been passed by a yea and nay vote  
23 supported by three-fifths of all the members elected to each of the two Houses of the  
24 General Assembly, and shall take effect from the date it is enacted. If this Act does not  
25 secure sufficient votes to pass as an emergency measure, it shall take effect January  
26 1, 2005, pursuant to Article III, § 31 of the Maryland Constitution.

27 DRAFTER'S NOTE:

28 Error: Erroneous cross-reference in Section 15 of Ch. 5, Acts of the 2004  
29 Special Session.

30 Occurred: Ch. 5, Acts of the 2004 Special Session.

31 **Article 11 - Frederick County**

32 2-1-1.

33 The provisions embraced in this and the following chapters and sections shall  
34 constitute and be designated "Code of Public Local Laws of Frederick County[,  
35 1979,]" and may be so cited. The Code of Public Local Laws of Frederick County[,  
36 1979] shall constitute Article 11 of the Public Local Laws of Maryland.

37 DRAFTER'S NOTE:

1 Error: Obsolete reference in § 2-1-1 of the Public Local Laws of  
2 Frederick County.

3 Occurred: As a result of republication of the Frederick County Code in  
4 2004.

5 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland  
6 read as follows:

7 **Article - Natural Resources**

8 8-743.

9 (b) (2) If the child is under the age of 4 years, the personal flotation device  
10 shall feature additional safety precautions, as appropriate for an infant, toddler, or  
11 young child, so as to:

12 (i) Hold the child securely within the personal [floatation]  
13 FLOTATION device, including a strap that is secured between the child's legs to fasten  
14 together the front and back of the personal [floatation] FLOTATION device;

15 (ii) Maintain the buoyancy of the child, including an inflatable  
16 headrest or high collar; [or] AND

17 (iii) Ensure the ready accessibility of the child from the vessel,  
18 including a web handle.

19 DRAFTER'S NOTE:

20 Error: Misspellings in § 8-743(b)(2)(i); erroneous conjunction in §  
21 8-743(b)(2)(ii) of the Natural Resources Article.

22 Occurred: Ch. 458, Section 2, Acts of 2004. Correction of § 8-743(b)(2)(i)  
23 by the publisher of the Annotated Code in the 2004 Supplement of the  
24 Natural Resources Article is ratified by this Act. Correction of §  
25 8-743(b)(2)(ii) recommended by Attorney General J. Joseph Curran, Jr. in  
26 bill review letter for S.B. 429 of 2004 (Ch. 458, Acts of 2004), May 6, 2004.

27 SECTION 3. AND BE IT FURTHER ENACTED, That the title designation  
28 "Title 20. Statewide Cultural Programs" of Article 41 of the Annotated Code of  
29 Maryland be repealed.

30 DRAFTER'S NOTE:

31 Error: Obsolete title designation in Article 41.

32 Occurred: As a result of Ch. 26, Acts of 2004.

33 SECTION 4. AND BE IT FURTHER ENACTED, That the Laws of Maryland  
34 read as follows:

1

**Article - Transportation**

2 [11-127.1.] 11-174.1.

3 (a) "Under the influence of alcohol per se" means having an alcohol  
4 concentration at the time of testing of 0.08 or more as measured by grams of alcohol  
5 per 100 milliliters of blood or grams of alcohol per 210 liters of breath.

6 (b) If the alcohol concentration is measured by milligrams of alcohol per  
7 deciliter of blood or milligrams of alcohol per 100 milliliters of blood, a court or an  
8 administrative law judge, as the case may be, shall convert the measurement into  
9 grams of alcohol per 100 milliliters of blood by dividing the measurement by 1000.

10 [11-127.2.] 11-127.1.

11 (a) "Lease intended as security" means a lease of a vehicle by an individual  
12 primarily for personal, family, or household purposes for more than 180 consecutive  
13 days, including renewal periods, in which:

14 (1) The lessee is provided the option to purchase the leased vehicle; and

15 (2) Under the terms of the purchase option, the lessee becomes or has the  
16 option to become the owner of the vehicle for:

17 (i) No additional consideration; or

18 (ii) 1. In the case of a new vehicle, a nominal consideration of:

19 A. 20 percent or less of the "value at consummation" of the  
20 vehicle as that term is defined in 12 C.F.R. § 213.2(a)(18); or

21 B. If the value at consummation is not stated in the lease, 20  
22 percent or less of the Monrone sticker price for the vehicle; or

23 2. In the case of a used vehicle, a nominal consideration of 20  
24 percent or less of the wholesale value of the vehicle as shown in the official used car  
25 guide of the National Automobile Dealer's Association (N.A.D.A.), taking into account  
26 accessories and mileage plus any costs incurred by the lessor in repairing and  
27 servicing the vehicle in anticipation of a lease.

28 (b) "Lease not intended as security" means a lease of a vehicle by an  
29 individual primarily for personal, family, or household purposes for more than 180  
30 consecutive days, including renewal periods, in which:

31 (1) The lessee may return the motor vehicle at the end of the lease term  
32 with no financial obligations other than payments required under, and disclosed in,  
33 the lease for excess wear and tear and excess mileage charges and for administration,  
34 disposition, and similar costs incurred at the end of the lease; and

35 (2) The lessee is provided the option to purchase the leased vehicle for:

- 1 (i) In the case of a new vehicle, a consideration in excess of:
- 2 1. 20 percent of the "value at consummation" of the vehicle as  
3 that term is defined in 12 C.F.R. § 213.2(a)(18); or
- 4 2. If the value at consummation is not stated in the lease, 20  
5 percent of the Monrone sticker price for the vehicle; or
- 6 (ii) In the case of a used vehicle, a consideration in excess of 20  
7 percent of the wholesale value of the vehicle as shown in the official used car guide of  
8 the National Automobile Dealer's Association (N.A.D.A.), taking into account  
9 accessories and mileage plus any costs incurred by the lessor in repairing and  
10 servicing the vehicle in anticipation of a lease.

11 [11-178.] 11-148.1.

12 (a) "Rental vehicle" means a passenger car or a vehicle that may be registered  
13 as a Class E, F, G, or M vehicle under Title 13, Subtitle 9 of this article:

14 (1) That is acquired solely for rental purposes but will not be rented to  
15 the same person for a period of more than 180 consecutive days;

16 (2) (i) That, at the time of purchase, is part of a fleet of passenger cars  
17 owned by the same person, at least five of which meet the criteria in item (1) of this  
18 subsection;

19 (ii) That, at the time of purchase, is part of a fleet of rental trucks  
20 owned by the same person, at least five of which meet the criteria in item (1) of this  
21 subsection; or

22 (iii) That, at the time of purchase, is part of a fleet of multipurpose  
23 passenger vehicles owned by the same person, at least five of which meet the criteria  
24 in item (1) of this subsection;

25 (3) For which the owner does not provide a driver; and

26 (4) That, if the vehicle is a passenger car or multipurpose passenger  
27 vehicle, will not be used to transport individuals or property for hire.

28 (b) "Rental vehicle" does not include:

29 (1) A dump truck, as described in § 13-919 of this article;

30 (2) A tow truck, as described in § 13-920 of this article; or

31 (3) A farm vehicle exempt from the sales and use tax under § 11-201(a)  
32 of the Tax - General Article.

33 DRAFTER'S NOTE:

34 Error: Failure to codify definitions in proper alphabetical order in Title

1 11, Subtitle 1, of the Transportation Article.

2 Occurred: Ch. 652, Acts of 1996 for §§ 11-127.1 and 11-127.2 of the  
3 Transportation Article; Ch. 706, Acts of 1998 for § 11-178 of the  
4 Transportation Article.

5 SECTION 5. AND BE IT FURTHER ENACTED, That the Laws of Maryland  
6 read as follows:

7 **Article - Courts and Judicial Proceedings**

8 10-307.

9 (g) If at the time of testing a person has an alcohol concentration of 0.08 or  
10 more, as determined by an analysis of the person's blood or breath, the person shall be  
11 considered under the influence of alcohol per se as defined in § [11-127.1] 11-174.1 of  
12 the Transportation Article.

13 **Article - Natural Resources**

14 8-738.

15 (b) (2) If at the time of testing an individual has an alcohol concentration  
16 that meets the definition of "under the influence of alcohol per se" in § [11-127.1]  
17 11-174.1 of the Transportation Article, as determined by an analysis of the individual's  
18 blood or breath, it shall be prima facie evidence that the individual was operating a  
19 vessel while under the influence of alcohol.

20 **Article - Transportation**

21 13-939.1.

22 Notwithstanding any other provision of this subtitle, for a rental vehicle as  
23 defined in § [11-178] 11-148.1 of this article, the annual registration fee is:

24 (1) For a Class A (passenger) vehicle with a manufacturer's shipping  
25 weight of:

26 (i) 3,700 pounds or less - \$27.00; and

27 (ii) More than 3,700 pounds - \$40.50;

28 16-205.1.

29 (a) (1) (ii) "Under the influence of alcohol" includes under the influence of  
30 alcohol per se as defined by § [11-127.1] 11-174.1 of this article.

31 DRAFTER'S NOTE:

32 Error: Erroneous cross-references in § 10-307(g) of the Courts and

1 Judicial Proceedings Article, § 8-738(b)(2) of the Natural Resources  
2 Article, and §§ 13-939.1(1) and 16-205.1(a)(1)(ii) of the Transportation  
3 Article.

4 Occurred: As a result of the renumbering of §§ 11-127.1, 11-127.2, and  
5 11-178 of the Transportation Article as enacted by Section 4 of this Act.

6 SECTION 6. AND BE IT FURTHER ENACTED, That the Laws of Maryland  
7 read as follows:

8 **Article 2B - Alcoholic Beverages**

9 1-201.

10 (f) (7) An officer confiscating any unlicensed distillery or unlawful distillery  
11 materials, equipment or devices under circumstances which render it impractical or  
12 impossible to move them to a safe place of custody and storage, or confiscating any  
13 illicit alcoholic beverages, except that seized for evidence or forfeiture, shall forthwith  
14 destroy them only insofar as is necessary to render them unfit for further unlawful  
15 use and shall report the confiscation and destruction to the Alcohol and Tobacco Tax  
16 [Division] BUREAU of the Comptroller of the Treasury of Maryland.

17 7.5-106.

18 (a) Wine that is delivered to a personal consumer shall be:

19 (1) Shipped freight prepaid to a wholesaler licensed in this State who is  
20 designated by the Alcohol and Tobacco Tax [Division] BUREAU of the Office of the  
21 Comptroller; and

22 (2) Delivered by the wholesaler to a retail dealer.

23 (b) The Alcohol and Tobacco Tax [Division] BUREAU of the Office of the  
24 Comptroller shall record the receipt and disposition of all wine sold by direct wine  
25 sellers.

26 16-404.

27 (b) The Comptroller is authorized to delegate the Comptroller's authority  
28 under this article to the director of the Alcohol and Tobacco Tax [Division] BUREAU of  
29 the Comptroller's office to issue or refuse to issue licenses and permits.

30 (c) The Comptroller is authorized to delegate the Comptroller's authority to  
31 conduct hearings of violations of this article or of any regulations issued thereunder to  
32 the director of the Alcohol and Tobacco Tax [Division] BUREAU of the Comptroller's  
33 office or any other employee of the Comptroller's office; provided, however, the  
34 director of the Alcohol and Tobacco Tax [Division] BUREAU of the Comptroller's office  
35 or any other employee of the Comptroller's office delegated by the Comptroller shall  
36 not have the authority to invoke penalties provided for under this article, but shall



1 report the employee's findings and recommendations to the Comptroller, for the  
2 taking of such action as the latter deems appropriate.

3 16-407.

4 (a) There is a Field Enforcement [Division] BUREAU under the Comptroller,  
5 with such officers and employees as may be provided for in the budget from time to  
6 time.

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

22 (c) The Field Enforcement [Division] BUREAU shall consult and advise with  
23 the several State's Attorneys and other law enforcement officials and police officers as  
24 to enforcement problems in their respective jurisdictions, and may make suggestions  
25 and recommendations for changes to improve the execution and administration of the  
26 provisions of this article.

27

#### **Article - Criminal Procedure**

28 2-101.

29 (c) "Police officer" means a person who in an official capacity is authorized by  
30 law to make arrests and is:

31 (13) an authorized employee of the Field Enforcement [Division] BUREAU  
32 of the Comptroller's Office;

33

#### **Article - Health - General**

34 18-213.

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

1 (ix) The Field Enforcement [Division] BUREAU of the Comptroller's  
2 Office;  
3 18-213.2.

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

7 (ix) The Field Enforcement [Division] BUREAU of the Comptroller's  
8 Office; or

9 **Article - Public Safety**

10 3-101.

11 (e) (1) "Law enforcement officer" means an individual who:

12 (ii) is a member of one of the following law enforcement agencies:

13 12. the Field Enforcement [Division] BUREAU of the  
14 Comptroller's Office;

15 3-201.

16 (e) (2) "Police officer" includes:

17 (i) a member of the Field Enforcement [Division] BUREAU of the  
18 Comptroller's Office;

19 **Article - State Personnel and Pensions**

20 8-301.

21 (b) This subtitle does not apply to a law enforcement employee of the Field  
22 Enforcement [Division] BUREAU of the State Comptroller's Office.

23 26-201.

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

26 (2) a law enforcement officer employed by the Field Enforcement  
27 [Division] BUREAU;

28 **Article - Tax - General**

29 2-107.

30 (a) Authorized employees of the Field Enforcement [Division] BUREAU of the  
31 Comptroller's Office:

- 1 (1) shall be individuals who are sworn police officers; and
- 2 (2) have all the powers, duties, and responsibilities of a peace officer for  
3 the purpose of enforcing the laws pertaining to:
- 4 (i) alcoholic beverage tax;
- 5 (ii) tobacco tax;
- 6 (iii) motor fuel tax;
- 7 (iv) motor carrier tax;
- 8 (v) motor fuel and lubricants; and
- 9 (vi) transient vendors within the meaning of Subtitle 20A of Title 17  
10 of the Business Regulation Article.

11 (b) (1) The Department of State Police shall help the Field Enforcement  
12 [Division] BUREAU in enforcing the motor carrier tax, motor fuel tax and motor fuel  
13 and lubricants laws.

14 (2) The Comptroller shall pay the salaries and expenses of all  
15 Department of State Police staff assigned to the Field Enforcement [Division]  
16 BUREAU.

17 (c) (2) The Field Enforcement [Division] BUREAU:

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

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

22 (d) (2) The Field Enforcement [Division] BUREAU shall cooperate with and  
23 help the federal government, other states, and local governments and law  
24 enforcement personnel of those jurisdictions to enforce the motor carrier tax, motor  
25 fuel tax, and motor fuel and lubricants laws.

26 DRAFTER'S NOTE:

27 Error: Obsolete references in Article 2B, §§ 1-201(f)(7), 7.5-106(a) and  
28 (b), 16-404(b) and (c), and 16-407; § 2-101(c)(13) of the Criminal  
29 Procedure Article; §§ 18-213(a)(3)(ix) and 18-213.2(a)(8)(ix) of the Health  
30 - General Article; §§ 3-101(e)(1)(ii)12 and 3-201(e)(2)(i) of the Public  
31 Safety Article; §§ 8-301(b) and 26-201(a)(2) of the State Personnel and  
32 Pensions Article; and 2-107(a)(1), (b), (c)(2), and (d)(2) of the Tax - General  
33 Article.

34 Occurred: As a result of the administrative renaming and merger on  
35 January 8, 2004 of two "Divisions" formerly known as the Field

1 Enforcement Division and the Alcohol and Tobacco Tax Division to be  
2 "Bureaus" under the new Regulatory and Enforcement Division within the  
3 Office of the Comptroller of the Treasury.

4 SECTION 7. AND BE IT FURTHER ENACTED, That the Laws of Maryland  
5 read as follows:

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

7 6-704.

8 (b) The Committee shall consist of the following:

9 (1) 1 representative each from:

10 (i) The Division of [Vocational] Rehabilitation SERVICES of the  
11 Department of Education;

12 **Article - Health - General**

13 10-806.

14 (c) (4) As resources allow, services shall be provided to individuals released  
15 from a State facility in accordance with the aftercare plan required by § 10-809 of  
16 this subtitle, as follows:

17 (ii) The Division of [Vocational] Rehabilitation SERVICES shall  
18 provide, to individuals determined to be eligible, vocational rehabilitation services  
19 and occupational placement opportunities consistent with the assessed needs and  
20 abilities of the individual; and

21 13-506.

22 (a) (2) Of the 15 members:

23 (iii) 1 shall be a representative of the Division of [Vocational]  
24 Rehabilitation SERVICES;

25 **Article - State Finance and Procurement**

26 14-101.

27 (b) "Sheltered workshop" means an agency:

28 (3) that is accredited by the Division of [Vocational] Rehabilitation  
29 SERVICES of the State Department of Education;

1 14-109.

2 (a) (3) "Division" means the Division of [Vocational] Rehabilitation  
3 SERVICES in the Department of Education.

4 DRAFTER'S NOTE:

5 Error: Obsolete reference in Article 41, § 6-704(b)(1)(i); §§ 10-806(c)(4)(ii)  
6 and 13-506(a)(2)(iii) of the Health - General Article; and §§ 14-101(b)(3)  
7 and 14-109(a)(3) of the State Finance and Procurement Article.

8 Occurred: As a result of Ch. 42, Acts of 1992.

9 SECTION 8. AND BE IT FURTHER ENACTED, That the Laws of Maryland  
10 read as follows:

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

12 6-7A-01.

13 (j) "Nursing home transition grant" means the grants available to states  
14 through the [Health Care Financing Administration] CENTERS FOR MEDICARE AND  
15 MEDICAID SERVICES.

16 **Article - Health - General**

17 15-103.

18 (b) (9) Each managed care organization shall:

19 (i) Have a quality assurance program in effect which is subject to  
20 the approval of the Department and which, at a minimum:

21 1. Complies with any health care quality improvement  
22 system developed by the [Health Care Financing Administration] CENTERS FOR  
23 MEDICARE AND MEDICAID SERVICES;

24 17-214.

25 (f) (2) In addition to any other laboratory standards, the regulations shall:

26 (i) Require that the laboratory comply with the guidelines for  
27 laboratory accreditation, if any, as set forth by the College of American Pathologists,  
28 the [U.S. Health Care Financing Administration (HCFA)] CENTERS FOR MEDICARE  
29 AND MEDICAID SERVICES, or any other government agency or program designated to  
30 certify or approve a laboratory that is acceptable to the Secretary;

31 19-308.

32 (b) (2) An accredited hospital and an accredited residential treatment center  
33 shall be subject to inspections under this subtitle by the Department to:

1 (iii) Monitor corrective action, in accordance with § 19-360 of this  
2 subtitle, for any serious or life-threatening patient care deficiency identified by the  
3 Joint Commission on Accreditation of Healthcare Organizations, the [Health Care  
4 Financing Administration] CENTERS FOR MEDICARE AND MEDICAID SERVICES, or  
5 the Department.

6 19-360.

7 (a) This section applies to:

8 (2) Accredited hospitals:

9 (ii) Subject to inspection by the Department under § 19-308(b)(2) of  
10 this subtitle as a result of a serious or life-threatening patient care deficiency  
11 identified by the Joint Commission on Accreditation of Healthcare Organizations, the  
12 [Health Care Financing Administration] CENTERS FOR MEDICARE AND MEDICAID  
13 SERVICES, or the Department; and

14 (3) Accredited residential treatment centers subject to inspection by the  
15 Department under § 19-308(b)(2) of this subtitle as a result of a serious or  
16 life-threatening patient care deficiency identified by the Joint Commission on  
17 Accreditation of Healthcare Organizations, the [Health Care Financing  
18 Administration] CENTERS FOR MEDICARE AND MEDICAID SERVICES, or the  
19 Department.

20 **Article - Insurance**

21 15-901.

22 (f) ["HCFA"] "CMS" means the [Health Care Financing Administration]  
23 CENTERS FOR MEDICARE AND MEDICAID SERVICES of the United States Department  
24 of Health and Human Services.

25 15-912.

26 (c) The standards may cover, but are not limited to:

27 (10) any other provisions required under federal Medicare law or [HCFA]  
28 CMS regulations.

29 15-926.

30 (a) Each carrier that issues Medicare supplement policies shall provide to  
31 [HCFA] CMS any data, statistics, or other information that [HCFA] CMS requests  
32 about the carrier's Medicare supplement policies.

33 (b) On request from [HCFA] CMS, the Commissioner may provide to [HCFA]  
34 CMS any information about Medicare supplement policies that are issued in the State.

1 15-1003.

2 (b) The Commissioner shall adopt by regulation as the uniform claims form for  
3 reimbursement of hospital services in the State the uniform claims form adopted by  
4 the National Uniform Billing Committee and approved by the [Health Care  
5 Financing Administration] CENTERS FOR MEDICARE AND MEDICAID SERVICES for  
6 Hospital Payments under Title XVIII of the Social Security Act.

7 (d) (2) In adopting the regulations required under paragraph (1)(i) of this  
8 subsection, the Commissioner shall consider:

9 (i) standards for attachments required by the federal [Health Care  
10 Financing Administration] CENTERS FOR MEDICARE AND MEDICAID SERVICES for  
11 the Medicare Program;

12 DRAFTER'S NOTE:

13 Error: Obsolete name of federal agency in Article 41, § 6-7A-01(j); §§  
14 15-103(b)(9)(i)1, 17-214(f)(2)(i), 19-308(b)(2)(iii), and 19-360(a)(2)(ii) and  
15 (3) of the Health - General Article; and §§ 15-901(f), 15-912(c)(10),  
16 15-926, and 15-1003(b) and (d)(2)(i) of the Insurance Article.

17 Occurred: As a result of the renaming and restructuring of the Health  
18 Care Financing Administration (HCFA) by the U.S. Department of Health  
19 and Human Services announced on June 14, 2001.

20 SECTION 9. AND BE IT FURTHER ENACTED, That the publisher of the  
21 Annotated Code of Maryland, subject to the approval of the Department of Legislative  
22 Services, shall make any changes in the text of the Annotated Code necessary to  
23 effectuate any termination provision that was enacted by the General Assembly and  
24 has taken effect or will take effect prior to October 1, 2005. Any enactment of the 2004  
25 Special Session of the General Assembly or of the 2005 Session of the General  
26 Assembly that negates or extends the effect of a previously enacted termination  
27 provision shall prevail over the provisions of this section.

28 SECTION 10. AND BE IT FURTHER ENACTED, That the Drafter's Notes  
29 contained in this Act are not law and may not be considered to have been enacted as  
30 part of this Act.

31 SECTION 11. AND BE IT FURTHER ENACTED, That the provisions of this  
32 Act are intended solely to correct technical errors in the law and there is no intent to  
33 revive or otherwise affect law that is the subject of other acts, whether those acts were  
34 signed by the Governor prior to or after the signing of this Act.

35 SECTION 12. AND BE IT FURTHER ENACTED, That any reference in the  
36 Annotated Code of Maryland rendered obsolete by an Act of the 2004 Special Session  
37 of the General Assembly or by an Act of the General Assembly of 2005 shall be  
38 corrected by the publisher of the Annotated Code, in consultation with and subject to  
39 the approval of the Department of Legislative Services, with no further action

1 required by the General Assembly. The publisher shall adequately describe any such  
2 correction in an editor's note following the section affected.

3 SECTION 13. AND BE IT FURTHER ENACTED, That the publisher of the  
4 Annotated Code of Maryland, in consultation with and subject to the approval of the  
5 Department of Legislative Services, at the time of publication of a new supplement,  
6 new volume, or replacement volume of the Annotated Code, shall make  
7 nonsubstantive corrections to codification, style, capitalization, punctuation,  
8 grammar, spelling, and any reference rendered obsolete by an Act of the General  
9 Assembly, with no further action required by the General Assembly. The publisher  
10 shall adequately describe any such correction in an editor's note following the section  
11 affected.

12 SECTION 14. AND BE IT FURTHER ENACTED, That Section 2 of this Act  
13 shall take effect on the taking effect of Section 2 of Chapter 458 of the Acts of the  
14 General Assembly of 2004.

15 SECTION 15. AND BE IT FURTHER ENACTED, That, except as provided in  
16 Section 14 of this Act, this Act is an emergency measure, is necessary for the  
17 immediate preservation of the public health or safety, has been passed by a yea and  
18 nay vote supported by three-fifths of all the members elected to each of the two  
19 Houses of the General Assembly, and shall take effect from the date it is enacted.