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

Introduced and read first time: January 23, 2006

Assigned to: Rules

Committee Report: Favorable

Senate action: Adopted

Read second time: February 23, 2006

CHAPTER _____

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 Public Local Laws and in certain uncodified laws;
5 clarifying language; correcting certain obsolete references; reorganizing certain
6 sections of the Annotated Code; validating and ratifying certain corrections
7 made by the publisher of the Annotated Code; providing that this Act is not
8 intended to affect any law other than to correct technical errors; providing for
9 the future correction of certain errors and obsolete provisions by the publisher of
10 the Annotated Code; providing for the effect and construction of certain
11 provisions of this Act; and making this Act an emergency measure.

12 BY repealing and reenacting, with amendments,
13 Article 2B - Alcoholic Beverages
14 Section 8-412(e)(2), 10-504(h)(2), and 11-402(g)(2)
15 Annotated Code of Maryland
16 (2005 Replacement Volume)

17 BY repealing and reenacting, with amendments,
18 Article 83A - Department of Business and Economic Development
19 Section 5-1707(b)(2) and 5-1801(b)(3)
20 Annotated Code of Maryland
21 (2003 Replacement Volume and 2005 Supplement)

22 BY repealing and reenacting, with amendments,
23 Article - Agriculture

1 Section 10-1204(a)
2 Annotated Code of Maryland
3 (1999 Replacement Volume and 2005 Supplement)

4 BY repealing and reenacting, with amendments,
5 Article - Business Regulation
6 Section 6-5A-07 and 10-323.2(a)(3)
7 Annotated Code of Maryland
8 (2004 Replacement Volume and 2005 Supplement)

9 BY repealing and reenacting, with amendments,
10 Article - Commercial Law
11 Section 12-404.1, 12-703(b) and (c)(1), 14-403(b)(6), 14-1109(a), 14-1213(b),
12 19-102(3), and 19-201(a)(2)
13 Annotated Code of Maryland
14 (2005 Replacement Volume)

15 BY repealing and reenacting, with amendments,
16 Article - Courts and Judicial Proceedings
17 Section 3-802(c)(1), 3-816.1(a) and (b)(2), 3-819.2(e)(4)(i), 3-8A-01(b), and
18 5-1006(a)(1) and (2)
19 Annotated Code of Maryland
20 (2002 Replacement Volume and 2005 Supplement)

21 BY repealing and reenacting, with amendments,
22 Article - Courts and Judicial Proceedings
23 Section 3-823(f) and (g)
24 Annotated Code of Maryland
25 (2002 Replacement Volume and 2005 Supplement)
26 (As enacted by Chapter 576 of the Acts of the General Assembly of 2005)

27 BY repealing and reenacting, with amendments,
28 Article - Criminal Law
29 Section 9-802(a) and 10-304(1)(iii) and (iv)
30 Annotated Code of Maryland
31 (2002 Volume and 2005 Supplement)

32 BY repealing and reenacting, with amendments,
33 Article - Criminal Procedure
34 Section 2-102(c)(1), 11-610(a)(2), and 11-622
35 Annotated Code of Maryland
36 (2001 Volume and 2005 Supplement)

37 BY repealing and reenacting, with amendments,

1 Article - Education
2 Section 3-114(c), 4-122(e)(2), 8-416(c), 8-417(b)(2), 14-102(a), (c)(1), (d)(2), and
3 (e), 14-103(b) and (c)(2), 14-104(a), (c)(1) and (2), (g)(1)(i), (2), and (3)(iii),
4 (j)(3) and (4)(xii) and (xv), (k)(2), (m)(1)(i), (o), and (p)(6)(i) and (ii),
5 14-106(b), (c), and (d), 14-108, and 18-1102(d)(2)
6 Annotated Code of Maryland
7 (2004 Replacement Volume and 2005 Supplement)

8 BY repealing and reenacting, with amendments,
9 Article - Election Law
10 Section 3-503(b) and the subtitle "Subtitle 5. Statewide Voter Registration List";
11 and 3-601.1(d), 4-103(c), 4-204(e)(1), 5-504(b), and 8-202(a)
12 Annotated Code of Maryland
13 (2003 Volume and 2005 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article - Environment
16 Section 1-808(a)(5)(ii), 4-313.1(c), 6-807(b)(2)(iii)5., 9-1702(d)(4), and
17 9-1707(h)(4)(v) and (6)
18 Annotated Code of Maryland
19 (1996 Replacement Volume and 2005 Supplement)

20 BY repealing and reenacting, with amendments,
21 Article - Environment
22 Section 1-808(b)(1)
23 Annotated Code of Maryland
24 (1996 Replacement Volume and 2005 Supplement)
25 (As enacted by Chapter 229 of the Acts of the General Assembly of 2005)

26 BY repealing and reenacting, with amendments,
27 Article - Environment
28 Section 4-411(a)
29 Annotated Code of Maryland
30 (1996 Replacement Volume and 2005 Supplement)
31 (As enacted by Chapter 177 of the Acts of the General Assembly of 2005)

32 BY repealing and reenacting, with amendments,
33 Article - Family Law
34 Section 5-307(c), 5-316(e)(2)(i) and (iii), 5-3B-06(c)(1), 5-508(b)(6), and
35 5-712(c)
36 Annotated Code of Maryland
37 (2004 Replacement Volume and 2005 Supplement)

38 BY repealing and reenacting, with amendments,

1 Article - Family Law
2 Section 5-564(b)(1)(ii) and (d)(1)(iii) and 5-580.3(a)(2), (b), and (c)
3 Annotated Code of Maryland
4 (2004 Replacement Volume and 2005 Supplement)
5 (As enacted by Chapter 359 of the Acts of the General Assembly of 2005)

6 BY repealing and reenacting, without amendments,
7 Article - Family Law
8 Section 5-590(a) and the part designation "Part IX. Early Childhood
9 Development Advisory Council"
10 Annotated Code of Maryland
11 (2004 Replacement Volume and 2005 Supplement)

12 BY repealing and reenacting, with amendments,
13 Article - Financial Institutions
14 Section 6-501 and 13-801(h)
15 Annotated Code of Maryland
16 (2003 Replacement Volume and 2005 Supplement)

17 BY repealing and reenacting, with amendments,
18 Article - Health - General
19 Section 4-306(b)(6)(ii), 5-705(b)(8), 5-807, 13-1101(b), 15-141(b)(2), (f)(4), (i)(2)
20 and (3), and (m)(1)(iii), and 18-338.3(a)(3)
21 Annotated Code of Maryland
22 (2005 Replacement Volume and 2005 Supplement)

23 BY repealing and reenacting, with amendments,
24 Article - Health - General
25 Section 15-103(d)
26 Annotated Code of Maryland
27 (2005 Replacement Volume and 2005 Supplement)
28 (As enacted by Chapter 282 of the Acts of the General Assembly of 2005)

29 BY repealing and reenacting, with amendments,
30 Article - Health - General
31 Section 19-401(c)(1), 19-404(b)(1), 19-4A-01(b)(4), 19-703.1(b)(2)(iii), (c)(1) and
32 (2), and (d), 19-706.1(d)(2) and (3) and (e)(3), (4), and (5), 20-102(f),
33 20-1004(2), 24-601(d)(2) and (3), 24-602, and 24-701(e)
34 Annotated Code of Maryland
35 (2005 Replacement Volume and 2005 Supplement)

36 BY repealing and reenacting, with amendments,
37 Article - Health Occupations

1 Section 13-319(a)
2 Annotated Code of Maryland
3 (2005 Replacement Volume)

4 BY repealing and reenacting, with amendments,
5 Article - Insurance
6 Section 2-210(c)(2)
7 Annotated Code of Maryland
8 (2003 Replacement Volume and 2005 Supplement)

9 BY repealing and reenacting, with amendments,
10 Article - Insurance
11 Section 14-102(d), 14-106(d)(1)(iii), and 16-503(c)(2)(iii)
12 Annotated Code of Maryland
13 (2002 Replacement Volume and 2005 Supplement)

14 BY repealing and reenacting, without amendments,
15 Article - Insurance
16 Section 14-106(d)(1)(iv) and 14-106.1(2)
17 Annotated Code of Maryland
18 (2002 Replacement Volume and 2005 Supplement)

19 BY repealing and reenacting, with amendments,
20 Article - Labor and Employment
21 Section 8-614(a), 8-1601(e), 9-234(x)(2), and 9-302(f)(1)
22 Annotated Code of Maryland
23 (1999 Replacement Volume and 2005 Supplement)

24 BY repealing and reenacting, with amendments,
25 Article - Public Safety
26 Section 8-206(a)(1) and 13-705
27 Annotated Code of Maryland
28 (2003 Volume and 2005 Supplement)

29 BY repealing and reenacting, with amendments,
30 Article - Real Property
31 Section 8A-1001(g)(1), 12-111(b) and (f), and 13-101(j)(1)
32 Annotated Code of Maryland
33 (2003 Replacement Volume and 2005 Supplement)

34 BY repealing and reenacting, with amendments,
35 Article - State Finance and Procurement
36 Section 7-314(g)(3) and 11-203(a)(1)(iv) through (xix) and (b)(2) and (3)

- 1 Annotated Code of Maryland
2 (2001 Replacement Volume and 2005 Supplement)
- 3 BY repealing and reenacting, with amendments,
4 Article - State Government
5 Section 10-110(d) and (e) and 15-519(c)(3)
6 Annotated Code of Maryland
7 (2004 Replacement Volume and 2005 Supplement)
- 8 BY repealing and reenacting, with amendments,
9 Article - State Government
10 Section 15-508(b)(4)(ii)2.
11 Annotated Code of Maryland
12 (2004 Replacement Volume and 2005 Supplement)
13 (As enacted by Chapter 84, Section 2 of the Acts of the General Assembly of
14 2004)
- 15 BY repealing and reenacting, with amendments,
16 Article - State Personnel and Pensions
17 Section 21-402(b)(3)
18 Annotated Code of Maryland
19 (2004 Replacement Volume and 2005 Supplement)
- 20 BY repealing and reenacting, with amendments,
21 Article - Tax - General
22 Section 2-1102 and 10-910(b)(2)
23 Annotated Code of Maryland
24 (2004 Replacement Volume and 2005 Supplement)
- 25 BY repealing and reenacting, without amendments,
26 Article - Tax - Property
27 Section 13-209(f)(1)
28 Annotated Code of Maryland
29 (2001 Replacement Volume and 2005 Supplement)
- 30 BY repealing and reenacting, with amendments,
31 Article - Transportation
32 Section 23-206.2(a)(1)(i) and (2)(i)
33 Annotated Code of Maryland
34 (2002 Replacement Volume and 2005 Supplement)
- 35 BY repealing and reenacting, with amendments,
36 Chapter 433 of the Acts of the General Assembly of 2005

1 Section 1

2 BY repealing and reenacting, with amendments,
3 Chapter 439 of the Acts of the General Assembly of 2005
4 Section 11

5 BY repealing and reenacting, with amendments,
6 Chapter 442 of the Acts of the General Assembly of 2005
7 Section 2, 4, and 5

8 BY repealing and reenacting, with amendments,
9 Chapter 524 of the Acts of the General Assembly of 2005
10 Section 7

11 BY repealing and reenacting, with amendments,
12 The Public Local Laws of Allegany County
13 Section 32-10
14 Article 1 - Public Local Laws of Maryland
15 (1983 Edition and February 2005 Supplement, as amended)

16 BY repealing and reenacting, with amendments,
17 The Public Local Laws of Washington County
18 Section 1-401 and 3-501(b)
19 Article 22 - Public Local Laws of Maryland
20 (1991 Edition and December 1997 Supplement, as amended)

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

23 **Article 2B - Alcoholic Beverages**

24 8-412.

25 (e) (2) A maximum of six bottles may be [opened] OPEN at any one time at
26 a wine sampling or tasting event.

27 DRAFTER'S NOTE:

28 Error: Incorrect word usage in Article 2B, § 8-412(e)(2).

29 Occurred: Ch. 383, Acts of 2000.

30 10-504.

31 (h) (2) [180] ONE HUNDRED EIGHTY days after the holder of any license
32 issued under the provisions of this article has closed the business or ceased active

1 alcoholic beverages business operations of the business for which the license is held,
2 the license shall expire unless:

3 (i) An application for approval of a transfer to another location or
4 an application for assignment to another person under § 10-503(b) of this subtitle has
5 been approved or is then pending;

6 (ii) An application under § 10-506 of this subtitle has been
7 approved or is then pending; or

8 (iii) A written request for a hardship extension, as provided in this
9 subsection, is filed within the 180-day period.

10 DRAFTER'S NOTE:

11 Error: Stylistic error in Article 2B, § 10-504(h)(2).

12 Occurred: Ch. 163, Acts of 2005.

13 11-402.

14 (g) (2) The holder of any on-sale license may sell alcoholic beverages for
15 consumption on the premises only in accordance with the privileges granted by that
16 license on December 31 and January 1 between the hours of 2 p.m. December 31 and
17 12 midnight January 1, regardless of which day of the week December 31 and
18 January 1 [falls] FALL on. However, the holder of any on-sale license may elect to
19 sell alcoholic beverages in accordance with the hours authorized by that license if the
20 hours herein specified for December 31 and January 1 restrict those regular hours.
21 The holder of any Class B or Class D license which permits beer sales for off-premises
22 consumption may sell beer on December 31 and January 1 in accordance with the
23 off-sale privileges granted by that license.

24 DRAFTER'S NOTE:

25 Error: Grammatical error in Article 2B, § 11-402(g)(2).

26 Occurred: Ch. 190, Acts of 1979.

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

28 5-1707.

29 (b) (2) The rates, charges, and all other revenues derived by the authority
30 may be applied by the authority to any lawful purpose, subject to the provisions of any
31 resolution, trust indenture, or other agreement relating to bonds [or] OF the
32 authority.

33 DRAFTER'S NOTE:

34 Error: Incorrect word usage in Article 83A, § 5-1707(b)(2).

1 Occurred: Ch. 275, Acts of 2005.

2 5-1801.

3 (b) (3) "Film production activity" does not include:

4 (i) Production of:

5 [A.] 1. Student films;

6 [B.] 2. Noncommercial personal videos;

7 [C.] 3. Sports broadcasts;

8 [D.] 4. Broadcasts of live events; or

9 [E.] 5. Talk shows; or

10 (ii) Any activity not necessary to and undertaken directly and
11 exclusively for the making of a master film, tape, or image.

12 DRAFTER'S NOTE:

13 Error: Stylistic errors in Article 83A, § 5-1801(b)(3).

14 Occurred: Chs. 96 and 97, Acts of 2005.

15 **Article - Agriculture**

16 10-1204.

17 (a) From among its members, the Commission annually shall elect a
18 [chairman and] vice chairman.

19 DRAFTER'S NOTE:

20 Error: Obsolete language in § 10-1204(a) of the Agriculture Article.

21 Occurred: As a result of Ch. 319, Acts of 2005, which required the
22 Governor to designate the chairman of the Commission.

23 **Article - Business Regulation**

24 6-5A-07.

25 (A) A public safety solicitor may not solicit public safety contributions unless[:

26 (1)] the script of an oral solicitation and a copy of a written solicitation
27 [shall]:

1 [i] (1) [be] IS approved by the public safety organization on
2 whose behalf the public safety contribution is solicited; and

3 [(ii)] (2) [include] INCLUDES:

4 [1.] (I) the specific purpose that is to be advanced with
5 public safety contributions; and

6 [2.] (II) a statement that the person is soliciting on behalf of
7 a public safety organization.

8 [(2)] (B) [a] A copy of the approved script of an oral solicitation and a
9 copy of a written solicitation shall be made available to the Secretary of State upon
10 request.

11 DRAFTER'S NOTE:

12 Error: Stylistic errors in § 6-5A-07 of the Business Regulation Article.

13 Occurred: Ch. 500, Acts of 2000.

14 10-323.2.

15 (a) (3) The Motor Fuel Tax [Division] BUREAU may determine that
16 compliance with a federal notice provision that is substantially similar to a notice
17 requirement of this subsection satisfies that notice requirement of this subsection.

18 DRAFTER'S NOTE:

19 Error: Misnomer in § 10-323.2(a)(3) of the Business Regulation Article.

20 Occurred: As a result of administrative renaming by the Office of the
21 Comptroller of the Treasury of the former Motor Fuel Tax Division.

22 **Article - Commercial Law**

23 12-404.1.

24 Notwithstanding the provisions of §§ 12-404, [12-405(a)] 12-405(A), and 12-411
25 of this subtitle, a lender may impose and collect, as a condition of making a loan, all
26 fees, discounts, points, or other charges that lenders are permitted or required to
27 impose, collect, or pay pursuant to a federal law providing for a program of mortgage
28 purchases or loans originated pursuant to a State or local governmental program of
29 direct lending or mortgage purchase, or by any federal agency or instrumentality or
30 subsidiary thereof, including but not limited to the Government National Mortgage
31 Association, the Federal National Mortgage Association, the Federal Home Loan
32 Mortgage Corporation, the Federal Reserve Bank, the Federal Home Loan Bank, and
33 the Farmers Home Administration, if the following conditions are met:

1 (1) The loan is eligible for purchase pursuant to a commitment or offer to
2 purchase by the federal, State, or local government agency, instrumentality, or
3 subsidiary; and

4 (2) (i) The sum of the fees, discounts, points, or other charges imposed
5 plus the interest rate on the loan does not exceed 24 percent; and

6 (ii) The fees, discounts, points, or other charges imposed and the
7 interest rate on the loan do not exceed those allowed by the applicable federal law
8 providing for the mortgage purchase program.

9 DRAFTER'S NOTE:

10 Error: Omitted comma in § 12-404.1 of the Commercial Law Article.

11 Occurred: Ch. 609, Acts of 1982.

12 12-703.

13 (b) The Commissioner shall give to the creditor complained against at least 10
14 [days] DAYS' written notice of the complaint and the time and place of any hearing.
15 The notice shall be in writing and sent by registered or certified mail to [his] THE
16 CREDITOR'S principal place of business.

17 (c) (1) If, after the hearing, the Commissioner finds that the creditor has
18 engaged or is engaging in any act or practice prohibited by this subtitle, [he] THE
19 COMMISSIONER shall order the creditor to cease and desist from the act or practice.

20 DRAFTER'S NOTE:

21 Error: Grammatical and stylistic errors in § 12-703(b) and (c)(1) of the
22 Commercial Law Article.

23 Occurred: Ch. 753, Acts of 1975.

24 14-403.

25 (b) Each service contract shall be in writing and shall specify:

26 (6) Limitations, exceptions, or [inclusions] EXCLUSIONS, if any, under
27 the service contract;

28 DRAFTER'S NOTE:

29 Error: Incorrect word usage in § 14-403(b)(6) of the Commercial Law
30 Article.

31 Occurred: Ch. 472, Acts of 2002.

1 14-1109.

2 (a) If the seller fails to comply with [§§ 14-1102, 14-1103, or 14-1104] §
3 14-1102, § 14-1103, OR § 14-1104 of this subtitle, the buyer, before delivery by the seller
4 and acceptance by the buyer of consumer goods purchased under a layaway
5 agreement, may cancel the layaway agreement and receive from the seller a refund of
6 all payments made under the layaway agreement and the return of any goods or
7 property traded in.

8 DRAFTER'S NOTE:

9 Error: Stylistic error in § 14-1109(a) of the Commercial Law Article.

10 Occurred: Ch. 673, Acts of 1978.

11 14-1213.

12 (b) Any consumer reporting agency or user of information which is negligent
13 in failing to comply with any requirement imposed under this subtitle with respect to
14 any consumer is liable to that consumer in an amount equal to the sum of:

15 (1) Any actual damages sustained by the consumer as a result of the
16 failure; AND

17 (2) In the case of any successful action to enforce any liability under this
18 section, the costs of the action together with reasonable attorney's fees as determined
19 by the court.

20 DRAFTER'S NOTE:

21 Error: Omitted conjunction in § 14-1213(b)(1) of the Commercial Law
22 Article.

23 Occurred: Ch. 584, Acts of 1976.

24 19-102.

25 Good cause exists in any of the following circumstances:

26 (3) The dealer defaults under a chattel mortgage or other security
27 agreement between the dealer and the supplier or the dealer revokes or discontinues
28 a guarantee of a present or future obligation of the [retailer] DEALER to the supplier;

29 DRAFTER'S NOTE:

30 Error: Incorrect word usage in § 19-102(3) of the Commercial Law
31 Article.

32 Occurred: Ch. 433, Acts of 2005. Correction recommended by Office of the
33 Attorney General in April 21, 2005, bill review letter for H.B. 1333 (Ch.
34 433) of 2005.

1 19-201.

2 (a) (2) If the dealer has any outstanding debts to the supplier, the
3 repurchase amount may be set off or credited to the [retailer's] DEALER'S account.

4 DRAFTER'S NOTE:

5 Error: Incorrect word usage in § 19-201(a)(2) of the Commercial Law
6 Article.

7 Occurred: Ch. 433, Acts of 2005. Correction recommended by Office of the
8 Attorney General in April 21, 2005, bill review letter for H.B. 1333 (Ch.
9 433) of 2005.

10 **Article - Courts and Judicial Proceedings**

11 3-802.

12 (c) (1) In all judicial proceedings conducted in accordance with this subtitle
13 or [§ 5-319] § 5-326 of the Family Law Article, the court may direct the local
14 department to provide services to a child, the child's family, or the child's caregiver to
15 the extent that the local department is authorized under State law.

16 DRAFTER'S NOTE:

17 Error: Erroneous cross-reference in § 3-802(c)(1) of the Courts and
18 Judicial Proceedings Article.

19 Occurred: As a result of Chs. 464 and 504, Acts of 2005.

20 3-816.1.

21 (a) The provisions of this section apply to a hearing conducted in accordance
22 with § 3-815, § 3-817, § 3-819, or § 3-823 of this subtitle or a review hearing
23 conducted in accordance with [§ 5-319] § 5-326 of the Family Law Article in which a
24 child is placed under an order of guardianship, commitment, or shelter care.

25 (b) (2) In a review hearing conducted in accordance with § 3-823 of this
26 subtitle or [§ 5-319] § 5-326 of the Family Law Article, the court shall make a finding
27 whether a local department made reasonable efforts to:

28 (i) Finalize the permanency plan in effect for the child; and

29 (ii) Meet the needs of the child, including the child's health,
30 education, safety, and preparation for independence.

31 DRAFTER'S NOTE:

32 Error: Erroneous cross-reference in § 3-816.1(a) and (b)(2) of the Courts
33 and Judicial Proceedings Article.

1 Occurred: As a result of Chs. 464 and 504, Acts of 2005.

2 3-819.2.

3 (e) (4) Following the hearing required under paragraph (3) of this
4 subsection, the court shall:

5 (i) Grant the LOCAL department an extension of no more than 90
6 days; or

7 DRAFTER'S NOTE:

8 Error: Omitted word in § 3-819.2(e)(4)(i) of the Courts and Judicial
9 Proceedings Article.

10 Occurred: Ch. 507, Acts of 2005.

11 3-823.

12 (f) The court may not order a child to be continued in a placement under
13 subsection [(e)(1)(v)] (E)(1)(I)5 of this section unless the court finds that the person or
14 agency to which the child is committed has documented a compelling reason for
15 determining that it would not be in the best interest of the child to:

16 (1) Return home;

17 (2) Be referred for termination of parental rights; or

18 (3) Be placed for adoption or guardianship with a specified and
19 appropriate relative or legal guardian willing to care for the child.

20 (g) In the case of a child for whom the court determines that the plan should
21 be changed to adoption under subsection [(e)(1)(iii)] (E)(1)(I)3 of this section, the court
22 shall:

23 (1) Order the local department to file a petition for guardianship in
24 accordance with Title 5, Subtitle 3 of the Family Law Article within 30 days or, if the
25 local department does not support the plan, within 60 days; and

26 (2) Schedule a TPR hearing instead of the next 6-month review hearing.

27 DRAFTER'S NOTE:

28 Error: Erroneous cross-references in § 3-823(f) and (g) of the Courts and
29 Judicial Proceedings Article.

30 Occurred: Section 3-823(f) as a result of Chs. 404 and 576, Acts of 2005;
31 § 3-823(g) as a result of Ch. 404, Acts of 2005. Correction by the publisher
32 of the Annotated Code in the 2005 Supplement of the Courts and Judicial
33 Proceedings Article is ratified by this Act.

1 3-8A-01.

2 (b) "Adjudicatory hearing" means a hearing under this subtitle to determine
3 whether the allegations in the petition, other than allegations that the child requires
4 treatment, [guidance] GUIDANCE, or rehabilitation, are true.

5 DRAFTER'S NOTE:

6 Error: Omitted comma in § 3-8A-01(b) of the Courts and Judicial
7 Proceedings Article.

8 Occurred: Ch. 463, Acts of 1976.

9 5-1006.

10 (a) (1) Any compensatory or punitive damages awarded to a prisoner in
11 connection with a civil action shall be paid directly to satisfy any outstanding
12 JUDGMENT OF restitution [order] or child support order pending against the
13 prisoner.

14 (2) If there are multiple [orders] JUDGMENTS of restitution or child
15 support ORDERS pending against the prisoner, any compensatory damages shall be
16 distributed against those JUDGMENTS OR orders on a pro rata basis.

17 DRAFTER'S NOTE:

18 Error: Incorrect word usage in § 5-1006(a)(1) and (2) of the Courts and
19 Judicial Proceedings Article.

20 Occurred: Ch. 495, Acts of 1997.

21 **Article - Criminal Law**

22 9-802.

23 (a) A person may not threaten an individual, or a friend or family member of
24 an [individaul,] INDIVIDUAL, with physical violence with the intent to coerce, induce,
25 or solicit the individual to participate in or prevent the individual from leaving a
26 criminal gang.

27 DRAFTER'S NOTE:

28 Error: Misspelling in § 9-802(a) of the Criminal Law Article.

29 Occurred: Ch. 313, Acts of 2005.

30 10-304.

31 Because of another's race, color, religious beliefs, sexual orientation, or national
32 origin, a person may not:

1 (1) (iii) deface, damage, or destroy, OR attempt to deface, damage, or
2 destroy the real or personal property of that person; or

3 (iv) burn or attempt to burn an object on the real or personal
4 property of that [person.] PERSON; OR

5 DRAFTER'S NOTE:

6 Error: Omitted word in § 10-304(1)(iii) of the Criminal Law Article;
7 incorrect punctuation and omitted conjunction in § 10-304(1)(iv) of the
8 Criminal Law Article.

9 Occurred: Omitted word, Ch. 26, Acts of 2002; incorrect punctuation and
10 omitted conjunction, Ch. 482, Acts of 2005.

11 **Article - Criminal Procedure**

12 2-102.

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

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

17 2. the Police Commissioner or Police Commissioner's
18 designee, when in Baltimore City;

19 3. the chief of police or chief's designee, when in a county
20 with a county police department, except Baltimore City;

21 4. the sheriff or sheriff's designee, when in a county without
22 a county police department;

23 5. the Secretary of Natural Resources or Secretary's
24 designee, when on property owned, leased, operated by, or under the control of the
25 Department of Natural Resources;

26 6. the chief of police of the Maryland Transportation
27 Authority or chief's designee, when on property owned, leased, operated by, or under
28 the control of the Maryland Transportation Authority, Maryland Aviation
29 Administration, or Maryland Port Administration; or

30 7. the [respective] chief of police OF THE DEPARTMENT OF
31 GENERAL SERVICES or the chief's designee, when on property owned, leased,
32 operated, managed, patrolled by, or under the control of the Department of General
33 Services; and

1 (ii) the Department of State Police barrack commander or
2 commander's designee, unless there is an agreement otherwise with the Department
3 of State Police.

4 DRAFTER'S NOTE:

5 Error: Obsolete terminology in § 2-102(c)(1)(i)7 of the Criminal
6 Procedure Article.

7 Occurred: Ch. 10, Acts of 2005.

8 11-610.

9 (a) (2) In Baltimore City, a judgment of restitution shall:

10 (i) be entered, indexed, and recorded under MARYLAND Rule
11 3-601; and

12 (ii) constitute a lien as provided under MARYLAND Rule 3-621(b).

13 DRAFTER'S NOTE:

14 Error: Omitted words in § 11-610(a)(2) of the Criminal Procedure
15 Article.

16 Occurred: Ch. 512, Acts of 2005.

17 11-622.

18 A person who makes a notoriety of crimes contract with a defendant or a
19 representative or assignee of that defendant shall:

20 (1) submit to the Attorney General a copy of all written terms and a
21 summary of all oral terms of the notoriety of crimes contract; and

22 (2) pay over to the Attorney General any money or other consideration
23 not subject to [an order] A JUDGMENT of restitution under § 11-603 of this subtitle
24 that by the terms of the notoriety of crimes contract otherwise would be owed to the
25 defendant or a representative or assignee of the defendant.

26 DRAFTER'S NOTE:

27 Error: Incorrect word usage in § 11-622(2) of the Criminal Procedure
28 Article.

29 Occurred: Ch. 10, Acts of 2001.

Article - Education

1

2 3-114.

3 (c) The election of the county boards shall be held as provided in Subtitles 2
4 through [13] 14 of this title and the Election Law Article.

5 DRAFTER'S NOTE:

6 Error: Erroneous cross-reference in § 3-114(c) of the Education Article.

7 Occurred: As a result of Ch. 323, Acts of 2001.

8 4-122.

9 (e) (2) The provisions of paragraph (1) of this subsection do not apply to
10 out-of-state agencies that place a child for adoption [as defined in § 5-301(j) of the
11 Family Law Article].

12 DRAFTER'S NOTE:

13 Error: Obsolete cross-reference in § 4-122(e)(2) of the Education Article.

14 Occurred: As a result of Ch. 464, Acts of 2005.

15 8-416.

16 (c) The Program shall include the early intervention services provided or
17 supervised by the [Department] DEPARTMENT, [and] the [State Departments]
18 DEPARTMENT of Health and Mental [Hygiene] HYGIENE, including the Program for
19 Hearing-Impaired Infants established under Title 13, Subtitle 6 of the Health -
20 General [Article] ARTICLE, [and] THE DEPARTMENT OF Human Resources, and the
21 Office for Children, Youth, and Families.

22 DRAFTER'S NOTE:

23 Error: Stylistic errors in § 8-416(c) of the Education Article.

24 Occurred: Ch. 312, Acts of 2002.

25 8-417.

26 (b) (2) The Department of Human Resources, the Department of Juvenile
27 Services, the Department of Budget and Management, the Office for Children, Youth,
28 and Families, and the Department of Health and Mental Hygiene shall participate
29 with the Department [of Education] in the development and implementation of rates
30 in programs licensed or approved by those agencies to the extent required by federal
31 and State law.

32 DRAFTER'S NOTE:

1 Error: Stylistic error in § 8-417(b)(2) of the Education Article.

2 Occurred: Ch. 541, Acts of 1999.

3 14-102.

4 (a) The government of [Morgan State] THE University is vested in the Board
5 of Regents [of Morgan State University].

6 (c) (1) One member of the Board OF REGENTS shall be a student in good
7 academic standing at the University who:

8 (i) Is at least 18 years old; and

9 (ii) Has the qualifications required to be student body president.

10 (d) (2) Except for the student member, at least 10 members of the Board OF
11 REGENTS shall be residents of the State.

12 (e) Each member of the Board OF REGENTS:

13 (1) Serves without compensation; and

14 (2) Is entitled to reimbursement for expenses in accordance with the
15 Standard State Travel Regulations.

16 DRAFTER'S NOTE:

17 Error: Incorrect usage of a defined term in § 14-102(a), (c)(1), (d)(2), and
18 (e) of the Education Article.

19 Occurred: As a result of Ch. 273, Acts of 2004.

20 14-103.

21 (b) The Board OF REGENTS shall determine the time and place of its meetings
22 and may adopt rules for the conduct of its meetings.

23 (c) (2) No formal action may be taken by the Board OF REGENTS without the
24 approval of a majority of the voting members of the Board OF REGENTS.

25 DRAFTER'S NOTE:

26 Error: Incorrect usage of a defined term in § 14-103(b) and (c)(2) of the
27 Education Article.

28 Occurred: As a result of Ch. 273, Acts of 2004.

1 14-104.

2 (a) In addition to any other powers granted and duties imposed by this
3 subtitle, and subject to the provisions of Title 11 of this article and any other
4 restrictions imposed by law by specific reference to the University or by any trust
5 agreement involving a pledge of property or money, the Board of Regents:

6 (1) Is responsible for the management of [Morgan State] THE
7 University and has all the powers, rights, and privileges that go with that
8 responsibility, including the powers and duties set forth in this section;

9 (2) May not be superseded in its authority by any other State agency or
10 office in managing the affairs of [Morgan State] THE University; and

11 (3) Shall have all the powers of a Maryland corporation which are not
12 limited by law by specific reference to the University.

13 (c) (1) The Board of Regents may adopt rules and regulations not
14 inconsistent with law for the government and management of [Morgan State] THE
15 University.

16 (2) Subject to Title 10, Subtitle 5 of the State Government Article
17 ("Meetings"), the Board OF REGENTS may adopt rules and regulations and prescribe
18 policies and procedures for the management, maintenance, operation, and control of
19 the University.

20 (g) (1) (i) On the recommendation of the President, and in accordance
21 with the requirements of Title 3 of the State Personnel and Pensions Article, the
22 Board of Regents shall establish general standards and guidelines governing the
23 appointment, compensation, advancement, tenure, and termination of all faculty,
24 executive staff, and professional administrative personnel in the [Morgan State]
25 University.

26 (2) Except as otherwise provided by law, appointments of [Morgan
27 State] THE University are not subject to or controlled by the provisions of the State
28 Personnel and Pensions Article that govern the State Personnel Management System.

29 (3) (iii) By September 1 of each year, the Board OF REGENTS shall
30 submit an annual position accountability report to the Department of Budget and
31 Management, the Department of Legislative Services, and the Maryland Higher
32 Education Commission reporting the total positions created and the cost and the
33 funding source for any positions created by the University in the previous fiscal year.

34 (j) (3) The President shall:

35 (i) Be responsible and accountable to the Board OF REGENTS for
36 the discipline and successful conduct of the University and supervision of each of its
37 departments; and

38 (ii) Take every initiative in:

1 1. Implementing the policies of the Board OF REGENTS; and

2 2. Promoting the University's development and efficiency.

3 (4) Subject to the authority and applicable policies of the Board of
4 Regents, the President shall:

5 (xii) In compliance with State, federal, and Board OF REGENTS
6 mandates and policies, oversee affirmative action and equal employment
7 opportunities;

8 (xv) Perform any other duties assigned by the Board OF REGENTS.

9 (k) (2) Any gift or grant the Board OF REGENTS accepts shall be deposited
10 with the State Treasurer in a nonbudgeted account and may be invested as the Board
11 OF REGENTS directs in accordance with law.

12 (m) (1) The President shall develop an overall plan that is consistent with
13 the statewide plan for higher education and the Charter that:

14 (i) Sets forth both long-range and short-range goals, objectives,
15 and priorities for postsecondary education, research, and service provided by
16 [Morgan State] THE University;

17 (o) The Legislative Auditor shall audit all expenditures and accounts of
18 [Morgan State] THE University in accordance with §§ 2-1220 through 2-1227 of the
19 State Government Article.

20 (p) (6) (i) Subject to the approval of the Board of Public Works, the Board
21 OF REGENTS may acquire, lease, encumber, sell, or otherwise dispose of real property
22 held by the State for the use of the University.

23 (ii) The Board OF REGENTS may acquire, lease, encumber, sell, or
24 otherwise dispose of personal property.

25 DRAFTER'S NOTE:

26 Error: Incorrect usage of a defined term in § 14-104(a), (c)(1) and (2),
27 (g)(1)(i), (2), and (3)(iii), (j)(3) and (4)(xii) and (xv), (k)(2), (m)(1)(i), (o), and
28 (p)(6)(i) and (ii) of the Education Article.

29 Occurred: As a result of Ch. 273, Acts of 2004.

30 14-106.

31 (b) (1) A [Morgan State] University police officer has the powers granted to
32 a peace and police officer.

33 (2) However, a [Morgan State] University police officer may exercise
34 these powers only on property that is owned, leased, operated by, or under the control

1 of [Morgan State] THE University. The police officer may not exercise these powers
2 on any other property unless:

- 3 (i) Engaged in fresh pursuit of a suspected offender;
- 4 (ii) Necessary to facilitate the orderly flow of traffic to and from
5 property owned, leased, operated by, or under the control of [Morgan State] THE
6 University; or
- 7 (iii) Ordered to do so by the Governor.

8 (c) (1) In consultation with the Secretary of State Police and the Maryland
9 Police Training Commission, the Board of Regents shall adopt standards,
10 qualifications, and prerequisites of character, training, education, human and public
11 relations, and experience for [Morgan State] THE University police officers, including
12 standards for the performance of their duties.

13 (2) To the extent practicable, the Board OF REGENTS shall adopt
14 standards that are similar to the standards adopted for the Department of State
15 Police.

16 (3) Standards adopted on or after July 1, 1976, on minimum hiring
17 qualifications of [Morgan State] THE University police officers may not affect the
18 status of any individual who was a qualified [Morgan State] University police officer
19 on that date.

20 (d) The Board of Regents shall adopt rules and regulations governing the
21 operation and conduct of the Morgan State University Police Force and of [Morgan
22 State] University police officers.

23 DRAFTER'S NOTE:

24 Error: Incorrect usage of a defined term in § 14-106(b), (c), and (d) of the
25 Education Article.

26 Occurred: As a result of Ch. 273, Acts of 2004.

27 14-108.

28 (a) (1) [Morgan State] THE University may establish a distinguished
29 scholar position at [Morgan State] THE University known as the Clarence W. Blount
30 Chair of Public Policy and Urban Politics.

31 (2) The purpose of the distinguished scholar position is to teach, conduct
32 research, and perform community service in public policy and urban politics at
33 [Morgan State] THE University.

34 (b) The President of [Morgan State] THE University may:

35 (1) Select and appoint a distinguished scholar to fill the Clarence W.
36 Blount Chair for a term of not more than 2 years;

- 1 (1) a voter registration application;
- 2 (2) a petition governed by Title 6;
- 3 (3) a certificate of candidacy; OR
- 4 (4) a written affirmation of residence completed on election day to entitle
- 5 the voter to vote either at the election district or precinct for the voter's current
- 6 residence or the voter's previous residence, as determined by the State Board.

7 DRAFTER'S NOTE:

8 Error: Omitted conjunction in § 3-503(b)(3) of the Election Law Article.

9 Occurred: Ch. 572, Acts of 2005.

10 3-601.1.

11 (d) (1) On election day, if it is alleged that the name of a registered voter is

12 missing from the precinct register because of a clerical error, the chief election judge

13 shall contact the State Board or local board to determine whether a clerical error has

14 been made.

15 (2) If the State Administrator or election director determines that the

16 absence of the name from the precinct register is the result of a clerical error, the

17 State Administrator or election director shall authorize the chief election judge to:

18 (i) issue a blank voter authority card to the affected voter; and

19 (ii) allow the affected voter to vote after the affected voter

20 completes the voter authority card and [provide] PROVIDES any other documentation

21 required by the State Board.

22 DRAFTER'S NOTE:

23 Error: Incorrect word usage in § 3-601.1(d)(2)(ii) of the Election Law

24 Article.

25 Occurred: Ch. 404, Acts of 2002.

26 4-103.

27 (c) A group that loses its status as a political party may regain that status

28 only by complying with all the requirements for qualifying as a new party under [§

29 4-101] § 4-102 of this subtitle.

30 DRAFTER'S NOTE:

31 Error: Erroneous cross-reference in § 4-103(c) of the Election Law

32 Article.

1 Occurred: Ch. 291, Acts of 2002.

2 4-204.

3 (e) (1) The constitution and bylaws adopted by a new political party shall
4 conform to the requirements of subsections (a), (b), and [(d)(1)] (C)(1) of this section.

5 DRAFTER'S NOTE:

6 Error: Erroneous internal reference in § 4-204(e)(1) of the Election Law
7 Article.

8 Occurred: Ch. 291, Acts of 2002.

9 5-504.

10 (b) Except for the offices of Governor and Lieutenant Governor, the name of
11 any individual who files a certificate of candidacy and does not withdraw shall appear
12 on the primary election ballot unless, by the 10th day after the filing deadline
13 specified under § 5-303 of this [article] TITLE, the individual's death or
14 disqualification is known to the applicable board with which the certificate of
15 candidacy was filed.

16 DRAFTER'S NOTE:

17 Error: Stylistic error in § 5-504(b) of the Election Law Article.

18 Occurred: Ch. 291, Acts of 2002.

19 8-202.

20 (a) A principal political party, as determined by the statement of registration
21 issued by the State Board [under § 3-509(b) of this article]:

22 (1) shall use the primary election to:

23 (i) nominate its candidates for public office; and

24 (ii) elect all members of the local central committees of the political
25 party; and

26 (2) may use the primary election in the year of a presidential election to
27 elect delegates to a national presidential nominating convention.

28 DRAFTER'S NOTE:

29 Error: Obsolete cross-reference in § 8-202(a) of the Election Law Article.

30 Occurred: As a result of Ch. 572, Acts of 2005.

Article - Environment

1

2 1-808.

3 (a) An environmental covenant is perpetual unless it is:

4 (5) Terminated or modified in an eminent domain proceeding, if:

5 (ii) Each person identified in § 1-809(a) and (b) of this subtitle
6 [are] IS given notice of the pendency of the proceeding; and7 (b) (1) If the Agency that signed an environmental covenant has determined
8 that the intended benefits of the covenant can no longer be realized, a court, under
9 the doctrine of changed circumstances, in an action in which all persons identified IN
10 § 1-809(a) and (b) of this subtitle have been given notice, may terminate the covenant
11 or reduce its burden on the real property subject to the covenant.

12 DRAFTER'S NOTE:

13 Error: Grammatical error in § 1-808(a)(5)(ii) of the Environment Article;
14 omitted word in § 1-808(b)(1) of the Environment Article.15 Occurred: Ch. 229, Acts of 2005. Correction of omitted word by the
16 publisher of the Annotated Code in the 2005 Supplement of the
17 Environment Article is ratified by this Act.

18 4-313.1.

19 (c) The Department shall deposit the penalties collected under this
20 [subsection] SECTION in the Maryland Clean Water Fund created under § 9-320 of
21 this article.

22 DRAFTER'S NOTE:

23 Error: Stylistic error in § 4-313.1(c) of the Environment Article.

24 Occurred: Ch. 538, Acts of 1988.

25 4-411.

26 (a) (1) In this section the following words [and phrases] have the meanings
27 indicated.28 (2) "BARREL" MEANS ANY MEASURE OF PETROLEUM PRODUCTS OR ITS
29 BY-PRODUCTS WHICH CONSISTS OF 42.0 U.S. GALLONS OF LIQUID MEASURE.30 [(2)] (3) "Fund" means the Maryland Oil Disaster Containment,
31 Clean-Up and Contingency Fund.

1 [(3)] (4) "Transfer" means the offloading or unloading of oil in the State
2 from or to any commercial vessel, barge, tank truck, tank car, pipeline, or any other
3 means used for transporting oil.

4 [(4) "Barrel" means any measure of petroleum products or its by-products
5 which consists of 42.0 U.S. gallons of liquid measure.]

6 DRAFTER'S NOTE:

7 Error: Stylistic error (failure to codify definitions in proper alphabetical
8 order) in § 4-411(a) of the Environment Article.

9 Occurred: Ch. 177, Acts of 2005. Partial correction by the publisher of the
10 Annotated Code in the 2005 Supplement of the Environment Article is
11 ratified by this Act.

12 6-807.

13 (b) (2) Of the 19 members:

14 (iii) 17 shall be appointed by the Governor as follows:

15 5. The [Executive Director of the Department of Human
16 Resources, Child Care Administration, or the Executive Director's designee]
17 DIRECTOR OF THE EARLY CHILDHOOD DEVELOPMENT DIVISION, STATE
18 DEPARTMENT OF EDUCATION, OR THE DIRECTOR'S DESIGNEE;

19 DRAFTER'S NOTE:

20 Error: Obsolete terminology in § 6-807(b)(2)(iii)5 of the Environment
21 Article.

22 Occurred: As the result of Ch. 585, Acts of 2005.

23 9-1702.

24 (d) The Office shall:

25 (4) Administer the Statewide Computer Recycling PILOT Program under
26 Part IV of this subtitle.

27 DRAFTER'S NOTE:

28 Error: Omitted word in § 9-1702(d)(4) of the Environment Article.

29 Occurred: Ch. 384, Acts of 2005.

1 9-1707.

2 (h) (4) (v) The members of the NEWSPRINT Recycling Board shall serve
3 without compensation, but shall be reimbursed for all reasonable expenses incurred
4 in the performance of their duties.

5 (6) If the [Newspaper] NEWSPRINT Recycling Board fails to act on an
6 application for an excuse of all or part of the recycled content percentage
7 requirements made under paragraph (5) of this subsection within 45 days of the filing
8 of the application with the Board, the application shall be deemed approved.

9 DRAFTER'S NOTE:

10 Error: Omitted word in § 9-1707(h)(4)(v) and misnomer in §
11 9-1707(h)(6) of the Environment Article.

12 Occurred: Ch. 301, Acts of 1990.

13 **Article - Family Law**

14 5-307.

15 (c) An attorney or firm may represent more than one party in a case under
16 this subtitle only if the Maryland LAWYERS' Rules of Professional Conduct allow.

17 DRAFTER'S NOTE:

18 Error: Misnomer in § 5-307(c) of the Family Law Article.

19 Occurred: As a result of a change to the Maryland Rules effective July 1,
20 2005.

21 5-316.

22 (e) (2) A juvenile court shall find that a petitioner has met the requirements
23 of paragraph (1) of this subsection if the petitioner shows, by affidavit or testimony,
24 that the petitioner made inquiries after or within the 180 days immediately preceding
25 the filing of the petition for guardianship:

26 (i) with the [State] Motor Vehicle Administration;

27 (iii) with the [State] Department of Public Safety and Correctional
28 Services, including its Division of Parole and Probation;

29 DRAFTER'S NOTE:

30 Error: Stylistic error in § 5-316(e)(2)(i) and (iii) of the Family Law
31 Article.

32 Occurred: Ch. 464, Acts of 2005.

1 5-3B-06.

2 (c) An attorney or firm:

3 (1) may represent more than one party in a case under this subtitle only
4 if the Maryland LAWYERS' Rules of Professional Conduct allow; and

5 DRAFTER'S NOTE:

6 Error: Misnomer in § 5-3B-06(c)(1) of the Family Law Article.

7 Occurred: As a result of a change to the Maryland Rules effective July 1,
8 2005.

9 5-508.

10 (b) This section does not apply:

11 (6) to a person who has the care, custody, or control of the child through
12 placement for adoption by a parent or grandparent of the child, if the requirements of
13 [§ 5-507(c)] § 5-3B-12 of this subtitle are met;

14 DRAFTER'S NOTE:

15 Error: Erroneous cross-reference in § 5-508(b)(6) of the Family Law
16 Article.

17 Occurred: As a result of Ch. 464, Acts of 2005.

18 5-564.

19 (b) (1) The Department shall provide an initial and a revised statement of
20 the applicant's State criminal record to:

21 (ii) the [Child Care Administration of the Department of Human
22 Resources] STATE DEPARTMENT OF EDUCATION if the applicant is an employee of:

23 1. a child care center that is required to be licensed or to hold
24 a letter of compliance under Part VII of this subtitle; or

25 2. a family day care home that is required to be registered
26 under Part V of this subtitle.

27 (d) (1) Upon completion of the criminal history records check of an
28 employee, the Department shall submit the printed statement to:

29 (iii) for an employee of a child care center that is required to be
30 licensed or to hold a letter of compliance under Part VII of this subtitle or an
31 employee of a family day care home that is required to be registered under Part V of
32 this subtitle, the [Child Care Administration of the Department of Human
33 Resources] STATE DEPARTMENT OF EDUCATION.

1 DRAFTER'S NOTE:

2 Error: Obsolete reference in § 5-564(b)(1)(ii) and (d)(1)(iii) of the Family
3 Law Article.

4 Occurred: As a result of departmental changes made by Ch. 585, Acts of
5 2005. Corrections by the publisher of the Annotated Code in the 2005
6 Supplement of the Family Law Article are ratified by this Act.

7 5-580.3.

8 (a) (2) Each employee, as defined in § 5-560 of this subtitle, of a child care
9 center that is required to be licensed or to hold a letter of compliance under this
10 subtitle shall apply to the [Child Care Administration] DEPARTMENT, on or before
11 the first day of actual employment, for a child abuse and neglect clearance.

12 (b) The [Child Care Administration] DEPARTMENT may prohibit the operator
13 of a child care center that is required to be licensed or to hold a letter of compliance
14 under this subtitle from employing an individual who:

15 (1) has received a conviction, a probation before judgment disposition, a
16 not criminally responsible disposition, or a pending charge for any crime or attempted
17 crime enumerated in the regulations adopted by the Department of Public Safety and
18 Correctional Services under Part VI of this subtitle; or

19 (2) has been identified as responsible for child abuse or neglect.

20 (c) The operator of a child care center that is required to be licensed or to hold
21 a letter of compliance under this subtitle shall immediately notify the [Child Care
22 Administration] DEPARTMENT of a criminal history records check of an employee
23 that reports a conviction, a probation before judgment disposition, a not criminally
24 responsible disposition, or a pending charge for any crime or attempted crime
25 enumerated in the regulations adopted by the Department of Public Safety and
26 Correctional Services under Part VI of this subtitle.

27 DRAFTER'S NOTE:

28 Error: Obsolete reference in § 5-580.3(a)(2), (b), and (c) of the Family
29 Law Article.

30 Occurred: As a result of departmental changes made by Ch. 585, Acts of
31 2005. Corrections by the publisher of the Annotated Code in the 2005
32 Supplement of the Family Law Article are ratified by this Act.

33 Part IX. Early Childhood Development Advisory Council.

34 5-590.

35 (a) In this Part IX of this subtitle the following words have the meanings
36 indicated.

1 DRAFTER'S NOTE:

2 Error: Misnomer in the part designation immediately preceding § 5-590
3 of the Family Law Article.

4 Occurred: As a result of departmental changes made by Ch. 585, Acts of
5 2005. Corrections by the publisher of the Annotated Code in the 2005
6 Supplement of the Family Law Article are validated by this Act.

7 5-712.

8 (c) If a provider examines a child under subsection (b) of this section and
9 determines that emergency medical treatment or expert child abuse or neglect care is
10 indicated, the [physician] PROVIDER may treat the child, with or without the consent
11 of the child's parent, guardian, or custodian.

12 DRAFTER'S NOTE:

13 Error: Incorrect terminology in § 5-712(c) of the Family Law Article.

14 Occurred: Ch. 334, Acts of 2005.

15 **Article - Financial Institutions**

16 6-501.

17 As to each interest bearing or share account of each member or depositor in a
18 credit union, the credit union shall generally make available to any member or
19 depositor with an existing account, in addition to actually giving to the member or
20 depositor, on the opening of the interest bearing or share account and, later, on
21 demand of the member or depositor the following written notice:

22 "Under Maryland law, all funds remaining in this interest bearing or share
23 account become the property of this State after the account has been inactive for [5]
24 3 years and notice is sent to the member or depositor at that member's or depositor's
25 last known address. This account will be considered inactive if the member or
26 depositor has not: (1) increased or decreased the amount in the account; (2) presented
27 the passbook or other similar evidence of the account for the crediting of interest or
28 dividends; (3) written to this credit union about the account; (4) engaged in any credit,
29 share, or other deposit transaction with the credit union; or (5) otherwise indicated an
30 interest in the account as evidenced by a memorandum on file with this credit union."

31 DRAFTER'S NOTE:

32 Error: Obsolete language in § 6-501 of the Financial Institutions Article.

33 Occurred: As a result of Ch. 440, Acts of 2002. Correction recommended
34 by Assistant Attorney General Kathryn M. Rowe.

1 13-801.

2 (h) "Local issuer" means any county, municipality, OR industrial development
3 authority established under Article 41, § 14-103 of the Annotated Code of Maryland,
4 or other agency with authority to issue bonds, other than a State issuer.

5 DRAFTER'S NOTE:

6 Error: Omitted conjunction in § 13-801(h) of the Financial Institutions
7 Article.

8 Occurred: Ch. 598, Acts of 1987.

9 **Article - Health - General**

10 4-306.

11 (b) A health care provider shall disclose a medical record without the
12 authorization of a person in interest:

13 (6) Subject to the additional limitations for a medical record developed
14 primarily in connection with the provision of mental health services in § 4-307 of this
15 subtitle and except as otherwise provided in items (2), (7), and (8) of this subsection,
16 in accordance with compulsory process, if the health care provider receives:

17 (ii) For disclosures made under [item (i)] ITEM (I)1 of this
18 paragraph, copies of the following items that were mailed by certified mail to the
19 person in interest by the person requesting the disclosure at least 30 days before the
20 records are to be disclosed:

21 1. The subpoena, summons, warrant, or court order seeking
22 the disclosure or production of the records;

23 2. This section; and

24 3. A notice in the following form or a substantially similar
25 form:

26 _____ In the
27 Plaintiffs _____

28 v. For

29 _____
30 Defendants

31 Case No.: _____

1 NOTICE TO (Patient Name)
2 IN COMPLIANCE WITH § 4-306 OF THE HEALTH - GENERAL ARTICLE,
3 ANNOTATED CODE OF MARYLAND

4 TAKE NOTE that medical records regarding (Patient Name), have been
5 subpoenaed from the (Name and address of Health Care Provider) pursuant to the
6 attached subpoena and § 4-306 of the Health - General Article, Annotated Code of
7 Maryland. This subpoena ____ does ____ does not (mark one) seek production of
8 mental health records.

9 Please examine these papers carefully. IF YOU HAVE ANY OBJECTION TO
10 THE PRODUCTION OF THESE DOCUMENTS, YOU MUST FILE A MOTION FOR
11 A PROTECTIVE ORDER OR A MOTION TO QUASH THE SUBPOENA ISSUED
12 FOR THESE DOCUMENTS UNDER MARYLAND RULES 2-403 AND 2-510 NO
13 LATER THAN THIRTY (30) DAYS FROM THE DATE THIS NOTICE IS MAILED.
14 For example, a protective order may be granted if the records are not relevant to the
15 issues in this case, the request unduly invades your privacy, or causes you specific
16 harm.

17 Also attached to this form is a copy of the subpoena duces tecum issued for these
18 records.

19 If you believe you need further legal advice about this matter, you should consult
20 your attorney.

21 Attorney _____
22 (Firm Name
23 Attorney address
24 Attorney phone number)

25 Attorneys for (Name of Party
26 Represented)

27 Certificate of Service

28 I hereby certify that a copy of the foregoing notice was mailed, first-class
29 postage prepaid, this ____ day of _____, 200_ to

30 _____
31 Patient

32 _____
33 Each Counsel in Case

34 _____
35 Attorney

36 DRAFTER'S NOTE:

1 Error: Incomplete internal reference in § 4-306(b)(6)(ii) of the Health -
2 General Article.

3 Occurred: Ch. 503, Acts of 2005.

4 5-705.

5 (b) The local team membership shall be drawn from the following individuals,
6 organizations, agencies, and areas of expertise, when available:

7 (8) The [regional representative of the Child Care Administration]
8 EARLY CHILDHOOD DEVELOPMENT DIVISION IN THE STATE DEPARTMENT OF
9 EDUCATION;

10 DRAFTER'S NOTE:

11 Error: Obsolete language in § 5-705(b)(8) of the Health - General Article.

12 Occurred: As a result of Ch. 585, Acts of 2005.

13 5-807.

14 A person shall have the immunity from liability under [§ 5-393] § 5-637 of the
15 Courts Article for any action as a member of the Committee or for giving information
16 to, participating in, or contributing to the function of the Committee or subcommittee.

17 DRAFTER'S NOTE:

18 Error: Incorrect cross-reference in § 5-807 of the Health - General
19 Article.

20 Occurred: As a result of Ch. 14, § 9, Acts of 1997.

21 13-1101.

22 (b) "Administrative Component" means the component of the Program
23 established under [§ 13-1118] § 13-1119 of this subtitle.

24 DRAFTER'S NOTE:

25 Error: Incorrect cross-reference in § 13-1101(b) of the Health - General
26 Article.

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

28 15-103.

29 (d) As permitted by federal law or waiver, the Secretary may administer the
30 Medicare Option Prescription Drug Program, established under [§ 15-124.1] §
31 15-124.3 of this subtitle, as part of the Maryland Medical Assistance Program.

1 DRAFTER'S NOTE:

2 Error: Incorrect cross-reference in § 15-103(d) of the Health - General
3 Article.

4 Occurred: Ch. 282, Acts of 2005. Correction by the publisher of the
5 Annotated Code in the 2005 Supplement of the Health - General Article is
6 ratified by this Act.

7 15-141.

8 (b) (2) As permitted by federal law or waiver, the Secretary may establish a
9 program under which [Medicaid program] MARYLAND MEDICAL ASSISTANCE
10 PROGRAM recipients are required to enroll in community care organizations.

11 (f) (4) The community choice program shall ensure that all enrollees in the
12 program maintain access to pharmacy benefits, including all classes of drugs, that are
13 comparable to the benefits provided in the MARYLAND Medical Assistance Program.

14 (i) The community choice program shall include:

15 (2) Adult [Medicaid] MARYLAND MEDICAL ASSISTANCE PROGRAM
16 recipients who meet the nursing home level of care standard; and

17 (3) [Medicaid] MARYLAND MEDICAL ASSISTANCE PROGRAM recipients
18 over 65 years of age.

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

21 (iii) Reimburse adult day care facilities not less than the rate
22 determined by the Department for the MARYLAND Medical Assistance Program;

23 DRAFTER'S NOTE:

24 Error: Misnomers in § 15-141(b)(2), (f)(4), (i)(2) and (3), and (m)(1)(iii) of
25 the Health - General Article.

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

27 18-338.3.

28 (a) (3) "Exposure" means [as between a patient and a health care provider]:

29 (i) Percutaneous contact with blood or body fluids;

30 (ii) Mucocutaneous contact with blood or body fluids;

31 (iii) Open wound, including dermatitis, exudative lesions, or
32 chapped skin, contact with blood or body fluids for a prolonged period; or

1 (iv) Intact skin contact with large amounts of blood or body fluids
2 for a prolonged period.

3 DRAFTER'S NOTE:

4 Error: Obsolete language in § 18-338.3(a)(3) of the Health - General
5 Article.

6 Occurred: As a result of Chs. 300 and 330, Acts of 2005. Correction
7 suggested by Assistant Attorney General Kathryn M. Rowe in memo dated
8 May 2, 2005.

9 19-401.

10 (c) (1) "Home health care" means any of the following services that are
11 provided under the general direction of a licensed health professional practicing
12 within the scope of their practice [act]:

- 13 (i) Audiology and speech pathology;
- 14 (ii) Dietary and nutritional services;
- 15 (iii) Drug services;
- 16 (iv) Home health aid;
- 17 (v) Laboratory;
- 18 (vi) Medical social services;
- 19 (vii) Nursing;
- 20 (viii) Occupational therapy;
- 21 (ix) Physical therapy; or
- 22 (x) Provision of medically necessary sickroom equipment and
23 supplies.

24 DRAFTER'S NOTE:

25 Error: Extraneous word in § 19-401(c)(1) of the Health - General Article.

26 Occurred: Ch. 571, Acts of 1982.

27 19-404.

28 (b) The rules and regulations shall provide for the licensing of home health
29 agencies and annual license renewal, and shall establish standards that require as a
30 minimum, that all home health agencies:

1 (1) Within 10 days of acceptance of a patient for skilled care, make and
2 record all reasonable efforts to contact a physician to obtain the signed order required
3 under [paragraph (2)] ITEM (2) OF THIS SUBSECTION;

4 DRAFTER'S NOTE:

5 Error: Stylistic error in § 19-404(b)(1) of the Health - General Article.

6 Occurred: Ch. 411, Acts of 1989.

7 19-4A-01.

8 (b) "Home health care" includes any of the following services:

9 (4) Home health [aide] AID;

10 DRAFTER'S NOTE:

11 Error: Incorrect word usage in § 19-4A-01(b)(4) of the Health - General
12 Article.

13 Occurred: Ch. 529, § 1, Acts of 1990.

14 19-703.1.

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

17 (iii) With respect to outpatient coverage, other than for inpatient or
18 partial hospitalization services, benefits for covered expenses arising from services,
19 including psychological and neuropsychological testing for diagnostic purposes, which
20 are rendered to treat mental illness, emotional disorders, drug [abuse] ABUSE, and
21 alcohol abuse shall be at a rate which is, after the applicable deductible, not less than:

22 1. 80 percent for the first 5 visits in any calendar year or
23 benefit period of not more than 12 months;

24 2. 65 percent for the 6th through 30th visit in any calendar
25 year or benefit period of not more than 12 months; and

26 3. 50 percent for the 31st visit and any visit after the 31st
27 visit in any calendar year or benefit period of not more than 12 months.

28 (c) (1) The benefits under this section shall be required only for expenses
29 arising for treatment of mental illnesses, emotional disorders, drug [abuse] ABUSE,
30 and alcohol abuse which in the professional judgment of practitioners is medically
31 necessary and treatable.

32 (2) The benefits required under this section shall be provided as one set
33 of benefits covering mental illnesses, emotional disorders, drug [abuse] ABUSE, and
34 alcohol abuse.

1 (d) Notwithstanding the provisions of subsection (b)(2)(i)1 of this section, until
2 July 1, 1995, a contract or certificate that is subject to this section that offers less
3 than 60 days coverage for inpatient care for health care for physical illness must only
4 include coverage for mental illness, emotional disorders, drug [abuse] ABUSE, and
5 alcohol abuse that is at least equal to the benefit offered for those other types of
6 health care. On and after July 1, 1995, the provisions of subsection (b)(2)(i)2 of this
7 section shall apply.

8 DRAFTER'S NOTE:

9 Error: Omitted comma in § 19-703.1(b)(2)(iii), (c)(1) and (2), and (d) of
10 the Health - General Article.

11 Occurred: Ch. 2, § 2, Acts of 1994.

12 19-706.1.

13 (d) (2) Before taking any action under [subparagraph (ii) of paragraph (1)]
14 PARAGRAPH (1)(II) of this subsection, the Commissioner shall consider:

15 (i) The interests of providers and other participating entities under
16 contract with the impaired health maintenance organizations; and

17 (ii) The viability of continuing the health plan.

18 (3) If a court under [subparagraph (ii) of paragraph (1)] PARAGRAPH
19 (1)(II) of this subsection approves a change to the terms of a contract that diminishes
20 the compensation of a provider or a participating entity providing administrative,
21 financial, or management services, the change may not:

22 (i) Be effective for more than 60 days; and

23 (ii) Except by mutual consent, be renewed or extended.

24 (e) In addition to the Commissioner's authority under Title 9, Subtitle 2 of the
25 Insurance Article, the Commissioner as a liquidator may, subject to approval by a
26 court:

27 (3) (i) Direct all other health maintenance organizations that
28 participated in an open enrollment process with the insolvent health maintenance
29 organization at a group's last regular open enrollment period to offer enrollees or
30 subscribers of the insolvent health maintenance organization a 30-day open
31 enrollment period to begin on the date of the insolvency; AND

32 (ii) [Each] REQUIRE EACH health maintenance organization
33 directed to offer enrollees or subscribers of the insolvent health maintenance
34 organization a 30-day open enrollment period [shall] TO offer the enrollees of the
35 insolvent health maintenance organization the same coverage and rates that it
36 offered the enrollees at the last regular open enrollment period;

1 (4) (i) Equitably allocate the insolvent health maintenance
2 organization's group contracts of those groups not offered other coverage under
3 [paragraph] ITEM (3) of this subsection, among all health maintenance organizations
4 operating within a portion of the insolvent health maintenance organization's service
5 [area;

6 (ii) Before] AREA, EXCEPT THAT BEFORE allocating the group
7 contracts under [subparagraph (i) of] this [paragraph] ITEM, the Commissioner
8 shall consider the health care delivery system and financial resources of all possible
9 successor health maintenance organizations;

10 [(iii)] (II) [Each] REQUIRE EACH health maintenance organization
11 allocated a group or groups under [subparagraph] ITEM (i) of this [paragraph shall]
12 ITEM TO offer the group or groups the health maintenance organization's existing
13 coverage which is most similar to each group's coverage with the insolvent health
14 maintenance organization at rates determined in accordance with the successor
15 health maintenance organization's existing rate methodology; AND

16 [(iv)] (III) [Any] ENSURE THAT ANY enrollee or subscriber whose
17 group coverage had terminated prior to the date of the insolvency and who converted
18 their group coverage into individual conversion coverage [shall be] IS offered the
19 same conversion coverage that is offered by the successor health maintenance
20 organization to persons converting from the group of which the enrollee or subscriber
21 had been a former member;

22 (5) (i) Equitably allocate the insolvent health maintenance
23 organization's nongroup individual contracts of those nongroup individuals not
24 offered other coverage under [paragraph] ITEM (3) of this subsection, among all
25 health maintenance organizations operating within a portion of the insolvent health
26 maintenance organization's service [area;

27 (ii) Before] AREA, EXCEPT THAT BEFORE allocating the nongroup
28 individual contract or contracts under [subparagraph (i) of] this [paragraph] ITEM,
29 the Commissioner shall consider the health care delivery system and financial
30 resources of all possible successor health maintenance organizations; AND

31 [(iii)] (II) [Each] REQUIRE EACH health maintenance organization
32 allocated a nongroup individual or individuals under [subparagraph] ITEM (i) of this
33 [paragraph shall] ITEM TO offer the nongroup individual or individuals the health
34 maintenance organization's existing coverage which is most similar to the nongroup
35 individual's coverage with the insolvent health maintenance organization at rates
36 determined in accordance with the successor health maintenance organization's
37 existing rate methodology; and

38 DRAFTER'S NOTE:

39 Error: Stylistic errors in § 19-706.1(d)(2) and (3), (e)(3), (4), and (5) of the
40 Health - General Article.

41 Occurred: Ch. 610, Acts of 1989.

1 20-102.

2 (f) Without the consent of or over the express objection of a minor, the
3 attending physician, [psychologist] PSYCHOLOGIST, or, on advice or direction of the
4 attending physician or psychologist, a member of the medical staff of a hospital or
5 public clinic may, but need not, give a parent, guardian, or custodian of the minor or
6 the spouse of the parent information about treatment needed by the minor or
7 provided to the minor under this section, except information about an abortion.

8 DRAFTER'S NOTE:

9 Error: Omitted comma in § 20-102(f) of the Health - General Article.

10 Occurred: Ch. 284, Acts of 2001.

11 20-1004.

12 The Office shall:

13 (2) Assist the Secretary in identifying, [coordinating] COORDINATING,
14 and establishing priorities for programs, services, and resources that the State should
15 provide for minority health and health disparities issues;

16 DRAFTER'S NOTE:

17 Error: Omitted comma in § 20-1004(2) of the Health - General Article.

18 Occurred: Ch. 319, Acts of 2004.

19 24-601.

20 (d) "Wholly owned" includes leased, if:

21 (2) (I) [Lessor] THE LESSOR consents to the recording, in the land
22 records of the political subdivision in which the facility is located, of a notice of the
23 State's right of recovery, as provided under § 24-606 of this subtitle; or

24 [(3)] (II) [Lease] THE LEASE agreement is with the State for a
25 State-owned building or State-owned property.

26 DRAFTER'S NOTE:

27 Error: Stylistic error and omitted article in § 24-601(d)(2) and (3) of the
28 Health - General Article.

29 Occurred: Ch. 214, Acts of 1990.

30 24-602.

31 The Board of Public Works, upon recommendation of the Secretary of the
32 [Department] DEPARTMENT, may make grants to qualified applicants for the

1 construction, acquisition, renovation, and equipping of community mental health
 2 facilities, addiction facilities, and developmental disabilities [facilities;] FACILITIES,
 3 including the plans, specifications, site improvements, surveys, and applicable
 4 architects' and engineers' fees.

5 DRAFTER'S NOTE:

6 Error: Incorrect and omitted punctuation in § 24-602 of the Health -
 7 General Article.

8 Occurred: Ch. 214, Acts of 1990.

9 24-701.

10 (e) "Wholly owned" includes leased, if [the]:

11 (1) (i) [Lease] THE LEASE is for a minimum term of 30 years following
 12 project completion; or

13 (ii) [Lease] THE LEASE agreement extends the right of purchase to
 14 the lessee; and

15 (2) [Lessor] THE LESSOR consents to the recording, in the land records
 16 of the county or Baltimore City in which the facility is located, of a notice of the State's
 17 right of recovery, as provided under § 24-706 of this subtitle.

18 DRAFTER'S NOTE:

19 Error: Misplaced article in § 24-701(e) of the Health - General Article.

20 Occurred: Ch. 388, Acts of 1990.

21 **Article - Health Occupations**

22 13-319.

23 (a) In this section, "physical therapist rehabilitation committee" means a
 24 committee that:

25 (1) Is defined in subsection (b) of this section; and

26 (2) Performs any of the functions listed in subsection [(e)] (C) of this
 27 section.

28 DRAFTER'S NOTE:

29 Error: Erroneous internal reference in § 13-319(a)(2) of the Health
 30 Occupations Article.

31 Occurred: Chapter 718, Acts of 1988.

Article - Insurance

1
2 2-210.

3 (c) (2) A hearing held under this section is not subject to [§ 10-223] § 10-216
4 of the State Government Article.

5 DRAFTER'S NOTE:

6 Error: Incorrect cross-reference in § 2-210(c)(2) of the Insurance Article.

7 Occurred: Ch. 36, Acts of 1995.

8 14-102.

9 (d) A nonprofit health service plan[:

10 (1)] shall develop goals, objectives, and strategies for carrying out, in
11 accordance with the charter of the nonprofit health service plan, its statutory
12 mission[;

13 (2) beginning on December 1, 2003, and continuing through June 30,
14 2005, shall report quarterly, for the preceding quarter, to the Joint Nonprofit Health
15 Service Plan Oversight Committee on the nonprofit health service plan's compliance
16 with the provisions of this subtitle; and

17 (3) shall provide to the Joint Nonprofit Health Service Plan Oversight
18 Committee any other information necessary for the Committee to meet the goals
19 outlined under § 2-10A-08 of the State Government Article].

20 DRAFTER'S NOTE:

21 Error: Obsolete language in § 14-102(d) of the Insurance Article.

22 Occurred: As a result of Chs. 356 and 357, Acts of 2003, which provided
23 for the abrogation of the Joint Nonprofit Health Service Plan Oversight
24 Committee as of August 31, 2005.

25 14-106.

26 (d) (1) Notwithstanding subsection (c) of this section, a nonprofit health
27 service plan that is subject to this section and issues comprehensive health care
28 benefits in the State shall:

29 (iii) subsidize the Senior Prescription Drug Assistance Program
30 established under [Title 14,] Subtitle 5, Part II of this title;

31 (iv) subsidize the Maryland Pharmacy Discount Program under §
32 15-124.1 of the Health - General Article; and

33 DRAFTER'S NOTE:

1 Error: Stylistic error in § 14-106(d)(1)(iii) of the Insurance Article;
2 incorrect cross-reference in § 14-106(d)(1)(iv) of the Insurance Article.

3 Occurred: Stylistic error, Ch. 153, Acts of 2002; incorrect cross-reference,
4 Ch. 280, Acts of 2005. Correction of the incorrect cross-reference by the
5 publisher of the Annotated Code in the December 2005 Advance Code
6 Service is validated by this Act.

7 14-106.1.

8 Beginning in fiscal year 2006, a nonprofit health service plan shall transfer
9 funds in the amounts provided under § 14-106(d)(2) of this subtitle to:

10 (2) the Department of Health and Mental Hygiene to subsidize the
11 Maryland Pharmacy Discount Program under § 15-124.1 of the Health - General
12 Article.

13 DRAFTER'S NOTE:

14 Error: Incorrect cross-reference in § 14-106.1(2) of the Insurance
15 Article.

16 Occurred: Ch. 280, Acts of 2005. Correction by the publisher of the
17 Annotated Code in the December 2005 Advance Code Service is validated
18 by this Act.

19 16-503.

20 (c) (2) (iii) After receiving written approval from the Commissioner on the
21 request made under [subparagraph (ii)2] SUBPARAGRAPH (II)1 of this paragraph, the
22 insurer may defer the payment of the cash surrender value.

23 DRAFTER'S NOTE:

24 Error: Incorrect internal reference in § 16-503(c)(2)(iii) of the Insurance
25 Article.

26 Occurred: Ch. 498, Acts of 2005. Correction recommended by Attorney
27 General J. Joseph Curran in general bill review letter for SB 662 (Ch. 498)
28 of 2005.

29 **Article - Labor and Employment**

30 8-614.

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

32 (2) "Knowingly" means having actual knowledge or acting with
33 deliberate ignorance or reckless disregard for the prohibition involved.

1 (3) "PERSON" MEANS, AS DEFINED IN § 7701(A)(1) OF THE INTERNAL
2 REVENUE CODE OF 1986, AN INDIVIDUAL, TRUST, ESTATE, PARTNERSHIP,
3 ASSOCIATION, COMPANY, OR CORPORATION.

4 (4) "TRADE OR BUSINESS" INCLUDES THE EMPLOYER'S WORKFORCE.

5 [(3)] (5) "Violates or attempts to violate" includes intent to evade,
6 misrepresentation, or willful nondisclosure.

7 [(4) "Trade or business" includes the employer's workforce.

8 (5) Notwithstanding § 1-101 of this article, "person" means, as defined
9 in § 7701(a)(1) of the Internal Revenue Code of 1986, an individual, trust, estate,
10 partnership, association, company, or corporation.]

11 DRAFTER'S NOTE:

12 Error: Stylistic error (failure to codify definitions in proper alphabetical
13 order) and extraneous language in § 8-614(a) of the Labor and
14 Employment Article.

15 Occurred: Ch. 610, Acts of 2005.

16 8-1601.

17 (e) "Regular benefits" means benefits payable to an individual under this title,
18 including benefits payable to federal civilian employees and to ex-servicemembers
19 [as defined in 5 U.S.C. § 8521(a)] who are eligible for unemployment insurance
20 benefits for ex-servicemembers under 5 U.S.C. § 8521.

21 DRAFTER'S NOTE:

22 Error: Extraneous language in § 8-1601(e) of the Labor and
23 Employment Article.

24 Occurred: Ch. 332, Acts of 1995.

25 9-234.

26 (x) (2) The County Council of Wicomico County may provide by resolution
27 for members of a volunteer company in the county to be [a covered employee]
28 COVERED EMPLOYEES while on duty.

29 DRAFTER'S NOTE:

30 Error: Grammatical error in § 9-234(x)(2) of the Labor and Employment
31 Article.

32 Occurred: Ch. 8, Acts of 1991.

1 9-302.

2 (f) (1) In this subsection, "former commissioner" means a commissioner who
3 previously served as a member of the [Workers' Compensation] Commission.

4 DRAFTER'S NOTE:

5 Error: Stylistic error in § 9-302(f)(1) of the Labor and Employment
6 Article.

7 Occurred: Ch. 533, Acts of 1992.

8 **Article - Public Safety**

9 8-206.

10 (a) On or before August 30 of each fiscal year, the Association shall submit to
11 the Department, the Legislative Auditor, and to the Board of Public Works an annual
12 report that includes:

13 (1) the number and total amount of grants AND the number and total
14 amount of loans made in the previous fiscal year;

15 DRAFTER'S NOTE:

16 Error: Omitted conjunction in § 8-206(a)(1) of the Public Safety Article.

17 Occurred: Ch. 136, Acts of 2005.

18 13-705.

19 (a) The rights granted to members of the National Guard by this section shall
20 be in addition to the rights granted to them by federal law, including the [Soldiers'
21 and Sailors' Civil Relief Act of 1940] SERVICEMEMBERS CIVIL RELIEF ACT and the
22 Uniformed Services Employment and Reemployment Rights Act.

23 (b) The following provisions of federal law shall be adopted as State law and
24 applied to members of the National Guard:

25 (1) the [Soldiers' and Sailors' Civil Relief Act of 1940]
26 SERVICEMEMBERS CIVIL RELIEF ACT applies only when members of the National
27 Guard are ordered to military duty under this title or Title 10 or Title 32 of the United
28 States Code for a period of 14 consecutive days or longer; and

29 (2) the Uniformed Services Employment and Reemployment Rights Act
30 applies when members of the National Guard are ordered to military duty under this
31 title or Title 10 or Title 32 of the United States Code for any period of time.

32 DRAFTER'S NOTE:

33 Error: Misnomer in § 13-705 of the Public Safety Article.

1 Occurred: As a result of the original federal statute's revision and
2 replacement in 2003.

3

Article - Real Property

4 8A-1001.

5 (g) (1) The security deposit, or any portion [thereof] OF THE SECURITY
6 DEPOSIT, may be withheld for unpaid [rent] RENT, damage due to breach of the
7 rental [agreement] AGREEMENT, or [for] damage to the leased premises by the
8 resident[, his] OR THE RESIDENT'S family, agents, employees, or social guests in
9 excess of ordinary wear and tear.

10 DRAFTER'S NOTE:

11 Error: Omitted commas, stylistic errors, and extraneous word in §
12 8A-1001(g)(1) of the Real Property Article.

13 Occurred: Ch. 843, § 3, Acts of 1980.

14 12-111.

15 (b) If any civil engineer, surveyor, real estate [appraisers] APPRAISER, or any
16 of their assistants is refused permission to enter or remain on any private land for the
17 purposes set out in subsection (a) OF THIS SECTION, the person, the State, its
18 instrumentality, or the body politic or corporate on whose behalf the person is acting
19 may apply to a law court of the county where the property, or any part of it, is located
20 for an order directing that the person be permitted to enter on and remain on the land
21 to the extent necessary to carry out the purposes authorized by this section.

22 (f) In Anne Arundel County, Montgomery County, or Baltimore City, an agent
23 or employee, or one or more assistants of the jurisdiction, after real and bona fide
24 effort to notify the occupant or the owner, if the land is unoccupied or if the occupant
25 is not the owner, may enter on any private land to make test borings and soil tests
26 and obtain information related to such tests for the purpose of determining the
27 possibility of public use of the property. If an agent, employee, or assistant is refused
28 permission to enter or remain on any private land for the purposes set out in this
29 subsection, Anne Arundel County, Montgomery County, or Baltimore City may apply
30 to a law court of the jurisdiction where the property or any part of it is located for an
31 order directing that its agent, employee, or assistant be permitted to enter and
32 remain on the land to the extent necessary to carry out the purposes authorized by
33 this subsection. The court may require that the applying jurisdiction post a bond in an
34 amount sufficient to reimburse any person for damages reasonably estimated to be
35 caused by test borings, soil tests, and related activities. If any person enters on any
36 private land under the authority of this section or of any court order passed pursuant
37 to it and damages or destroys any land or personal property on it, the owner of the
38 property has a cause of action for damages against the jurisdiction that authorized
39 the entrance. Any person who knows of an order issued under this subsection and who

1 obstructs any agent, [employee] EMPLOYEE, or [any] assistant acting under the
2 authority of the order may be punished for contempt of court.

3 DRAFTER'S NOTE:

4 Error: Incorrect word usage and stylistic error in § 12-111(b) of the Real
5 Property Article; omitted comma and extraneous word in § 12-111(f) of the
6 Real Property Article.

7 Occurred: Incorrect word usage and stylistic error, Ch. 12, § 2, Acts of
8 1974; omitted comma and extraneous word, Ch. 469, Acts of 1978.

9 13-101.

10 (j) "Patent" means:

11 (1) Any grant confirmed by Article 5 of the Declaration of Rights of the
12 [State] MARYLAND Constitution;

13 DRAFTER'S NOTE:

14 Error: Stylistic error in § 13-101(j)(1) of the Real Property Article.

15 Occurred: Ch. 12, § 2, Acts of 1974.

16 **Article - State Finance and Procurement**

17 7-314.

18 (g) (3) Upon receipt of the report, the Legislative Policy Committee shall
19 have 60 days to review and comment on the report, during which time the
20 Department of Business and Economic Development shall provide any additional
21 information regarding [this Fund] THE ACCOUNT as requested by the Legislative
22 Policy Committee.

23 DRAFTER'S NOTE:

24 Error: Incorrect word usage in § 7-314(g)(3) of the State Finance and
25 Procurement Article.

26 Occurred: As a result of Ch. 203, Acts of 2003.

27 11-203.

28 (a) Except as provided in subsection (b) of this section, this Division II does
29 not apply to:

30 (1) procurement by:

31 [(iv) the Maryland Higher Education Supplemental Loan Authority,
32 if no State money is to be spent on a procurement contract;]

1 [(v)] (IV) the Maryland Industrial Training Program or the
2 Partnership for Workforce Quality Program in the Department of Business and
3 Economic Development, for training services or programs for new or expanding
4 businesses or industries or businesses or industries in transition;

5 [(vi)] (V) the Maryland Food Center Authority, to the extent the
6 Authority is exempt under Title 13, Subtitle 1 of Article 41 of the Code;

7 [(vii)] (VI) the Maryland Public Broadcasting Commission:

8 1. for services of artists for educational and cultural
9 television productions; or

10 2. when planning for or fulfilling the obligations of grants or
11 cooperative agreements that support the educational and cultural activities of the
12 Commission;

13 [(viii)] (VII) public institutions of higher education, for cultural,
14 entertainment, and intercollegiate athletic procurement contracts;

15 [(ix)] (VIII) the Maryland State Planning Council on
16 Developmental Disabilities, for services to support demonstration, pilot, and training
17 programs;

18 [(x)] (IX) the Maryland Automobile Insurance Fund;

19 [(xi)] (X) the Maryland Historical Trust for:

20 1. surveying and evaluating architecturally, archeologically,
21 historically, or culturally significant properties; and

22 2. other than as to architectural services, preparing historic
23 preservation planning documents and educational material;

24 [(xii)] (XI) the University of Maryland, for University College
25 Overseas Programs, if the University adopts regulations that:

26 1. establish policies and procedures governing procurement
27 for University College Overseas Programs; and

28 2. promote the purposes stated in § 11-201(a) of this subtitle;

29 [(xiii)] (XII) St. Mary's College of Maryland;

30 [(xiv)] (XIII) the Department of Business and Economic
31 Development, for negotiating and entering into private sector cooperative marketing
32 projects that directly enhance promotion of Maryland and the tourism industry where
33 there will be a private sector contribution to the project if not less than 50% of the
34 total cost of the project, if the project is reviewed by the Attorney General and
35 approved by the Secretary of Business and Economic Development or the Secretary's
36 designee;

1 [(xv)] (XIV) the Rural Maryland Council;

2 [(xvi)] (XV) the Maryland State Lottery Agency, for negotiating and
3 entering into private sector cooperative marketing projects that directly enhance
4 promotion of the Maryland State Lottery and its products, if the cooperative
5 marketing project:

6 1. provides a substantive promotional or marketing value
7 that the lottery determines acceptable in exchange for advertising or other
8 promotional activities provided by the lottery;

9 2. does not involve the advertising or other promotion of
10 alcohol or tobacco products; and

11 3. is reviewed by the Attorney General and approved by the
12 Maryland Lottery Director or the Director's designee;

13 [(xvii)] (XVI) the Maryland Health Insurance Plan established
14 under Title 14, Subtitle 5 of the Insurance Article;

15 [(xviii)] (XVII) the Maryland Energy Administration, when
16 negotiating or entering into grants or cooperative agreements with private entities to
17 meet federal specifications or solicitation requirements related to energy
18 conservation, energy efficiency, or renewable energy projects that benefit the State;
19 and

20 [(xix)] (XVIII) the Maryland Developmental Disabilities
21 Administration of the Department of Health and Mental Hygiene for family and
22 individual support services, and individual family care services, as those terms are
23 defined by the Department of Health and Mental Hygiene in regulation;

24 (b) (2) Except for procurement under subsection (a)(1)(i) and [(xii)] (XI) and
25 (2)(i) and (vi) of this section, the provisions of Title 14, Subtitle 3 of this article
26 ("Minority Business Participation") shall apply to each procurement enumerated in
27 subsection (a) of this section.

28 (3) A procurement by an entity listed in subsection (a)(1)(i) through
29 [(xv)] (XIV) and [(xix)] (XVIII) of this section shall be made under procedures that
30 promote the purposes stated in § 11-201(a) of this subtitle.

31 DRAFTER'S NOTE:

32 Error: Obsolete language in § 11-203(a)(1)(iv) of the State Finance and
33 Procurement Article; incorrect internal references in § 11-203(b)(2) and (3)
34 of the State Finance and Procurement Article.

35 Occurred: As a result of Ch. 203, Acts of 2003.

1

Article - State Government

2 10-110.

3 (d) (1) The Committee is not required to take any action with respect to a
4 proposed regulation submitted to it pursuant to subsection [(b)] (C) of this section.

5 (2) Failure by the Committee to approve or disapprove the proposed
6 regulation during the period of preliminary review provided by subsection [(b)] (C) of
7 this section may not be construed to mean that the Committee approves or
8 disapproves the proposed regulation.

9 (3) During the preliminary review period, the Committee may take any
10 action relating to the proposed regulation that the Committee is authorized to take
11 under §§ 10-111.1 and 10-112 of this subtitle.

12 (e) Prior to the date specified in subsection [(b)] (C) of this section, the
13 promulgating unit is encouraged to submit the proposed regulation to the Committee
14 and to consult with the Committee concerning the form and content of that
15 regulation.

16 DRAFTER'S NOTE:

17 Error: Incorrect cross-reference in § 10-110(d) and (e) of the State
18 Government Article.

19 Occurred: As a result of Ch. 585, Acts of 2000.

20 15-508.

21 (b) For purposes of subsection (a) of this section, assisting in the drafting of
22 specifications, an invitation for bids, or a request for proposals for a procurement does
23 not include:

24 (4) providing architectural and engineering services for:

25 (ii) the design of a construction project if:

26 2. the design services do not involve lead or prime design
27 responsibilities [on] OR construction phase responsibilities on behalf of the State; or

28 DRAFTER'S NOTE:

29 Error: Incorrect word usage in § 15-508(b)(4)(ii)2 of the State
30 Government Article.

31 Occurred: Ch. 84, § 2, Acts of 2004.

1 15-519.

2 (c) (3) A subpoena issued under [subsection (b) of this section] PARAGRAPH
3 (1) OF THIS SUBSECTION shall be served:

4 (i) in the manner provided by law for service of a subpoena in a
5 civil action;

6 (ii) before the time that the subpoena sets for appearance or
7 production of records; and

8 (iii) with the following documents:

9 1. a copy of this title;

10 2. a copy of the rules of the Joint Ethics Committee; and

11 3. if the subpoena requires the appearance of a person, notice
12 that counsel may accompany the person.

13 DRAFTER'S NOTE:

14 Error: Incorrect cross-reference in § 15-519(c)(3) of the State
15 Government Article.

16 Occurred: Chs. 129 and 130, Acts of 1999.

17 **Article - State Personnel and Pensions**

18 21-402.

19 (b) (3) A member who elects to receive a reduced optional allowance under §
20 21-403 of this [subtitle,] SUBTITLE may designate an individual other than the
21 member's child as the member's designated beneficiary.

22 DRAFTER'S NOTE:

23 Error: Extraneous comma in § 21-402(b)(3) of the State Personnel and
24 Pensions Article.

25 Occurred: Ch. 493, Acts of 2005.

26 **Article - Tax - General**

27 2-1102.

28 After making the distributions required under § 2-1101 of this subtitle, from the
29 remaining motor fuel tax revenue, the Comptroller shall distribute the amount
30 necessary to administer the Motor Fuel Tax [Division] BUREAU OF THE
31 REGULATORY AND ENFORCEMENT DIVISION of the Comptroller's Office to an
32 administrative cost account.

1 DRAFTER'S NOTE:

2 Error: Misnomer in § 2-1102 of the Tax - General Article.

3 Occurred: As a result of administrative merger of units and
4 administrative renaming of former Motor Fuel Tax Division by the
5 Comptroller's Office.

6 10-910.

7 (b) (2) If the Comptroller notifies an employer that an employee has an
8 unpaid tax liability [or], that the employee failed to file a required Maryland income
9 tax [return] RETURN, or that an employee is subject to a tax refund interception
10 request, the employer shall base withholding for the employee:

11 (i) on a number of exemptions not exceeding the actual number of
12 exemptions allowed on the employee's prior year's income tax return, as specified by
13 the Comptroller; or

14 (ii) if the employee failed to file a required Maryland income tax
15 return, on 1 exemption.

16 DRAFTER'S NOTE:

17 Error: Stylistic error in § 10-910(b)(2) of the Tax - General Article.

18 Occurred: As a result of the merger of language by the publisher of the
19 Annotated Code in Chs. 7 and 444, Acts of 2005, both of which amended §
20 10-910(b)(2) of the Tax - General Article without regard for the changes
21 made by the other.

22 **Article - Tax - Property**

23 13-209.

24 (f) (1) (i) Except as provided in subparagraphs (ii) and (iii) of this
25 paragraph, for any fiscal year in which the actual transfer tax revenue collections are
26 greater than the revenue estimates used as the basis for the appropriations required
27 under this section for the fiscal year, the amount of the excess shall be allocated to the
28 special fund under subsection (a) of this section as provided under subsections (c) and
29 (d) of this section for the second fiscal year following the fiscal year in which there is
30 an excess.

31 (ii) Notwithstanding subparagraph (i) of this paragraph or any
32 other provision of law, \$21,776,868 of the transfer tax collected but not appropriated
33 or transferred in fiscal 2004 shall be transferred to the General Fund of the State.

34 (iii) Notwithstanding subparagraph (i) of this paragraph or any
35 other provision of law, in any fiscal year in which an appropriation or transfer is made
36 from the special fund to the General Fund, if the actual transfer tax revenue

1 collections for the prior fiscal year exceed the budget estimate for the prior fiscal year,
2 the excess shall be allocated in the current fiscal year for Program Open Space, the
3 Agricultural Land Preservation Fund, the Rural Legacy Program, and the Heritage
4 Conservation Fund. Funds made available under this subparagraph shall be allocated
5 as provided under subsection (d) of this section.

6 DRAFTER'S NOTE:

7 Error: Incomplete cross-reference in § 13-209(f)(1)(i) of the Tax -
8 Property Article.

9 Occurred: As a result of Chs. 444 and 473, Acts of 2005. Correction by the
10 publisher of the Annotated Code in the 2005 Supplement of the Tax -
11 Property Article is validated by this Act.

12 **Article - Transportation**

13 23-206.2.

14 (a) (1) A motor vehicle for which special registration plates have been issued
15 under § 13-616 of this article is exempt from the mandatory inspections required by
16 this subtitle if:

17 (i) All of the owners of the motor vehicle meet the disability
18 requirements of [§ 13-616(a)(1)] § 13-616(B)(1) of this article;

19 (2) In order to qualify for an exemption under paragraph (1) of this
20 subsection, all owners of the motor vehicle shall certify the following:

21 (i) That the owner of the motor vehicle meets the disability
22 requirements of [§ 13-616(a)(1)] § 13-616(B)(1) of this article;

23 DRAFTER'S NOTE:

24 Error: Extraneous punctuation in § 23-206.2(a)(1) and erroneous
25 cross-references in § 23-206.2(a)(1)(i) and (2)(i) of the Transportation
26 Article.

27 Occurred: Ch. 480, Acts of 1999.

28 **Chapter 433 of the Acts of 2005**

29 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
30 MARYLAND, That Section(s) 19-102; 19-301 through 19-306 and the subtitle
31 "Subtitle 3. Termination, Cancellation, and Nonrenewal of Contracts and Notice
32 Required"; 19-401 and the subtitle "Subtitle 4. Warranty Claims"; 19-4A-01 and
33 19-4A-02 and the subtitle "Subtitle 4A. Transfer of the Business of a Dealer"; and
34 19-501 through 19-505 and the subtitle "Subtitle 5. Enforcement and Penalties" OF
35 THE COMMERCIAL LAW ARTICLE be repealed.

1 DRAFTER'S NOTE:

2 Error: Incomplete reference in Section 1 of Ch. 433, Acts of 2005.

3 Occurred: Ch. 433, Acts of 2005.

4

Chapter 439 of the Acts of 2005

5 SECTION 11. AND BE IT FURTHER ENACTED, That the publishers of the
6 Annotated Code of Maryland, subject to the approval of the Department of Legislative
7 Services, shall propose the correction of any agency names and titles throughout the
8 Annotated Code that are rendered incorrect by this Act and any necessary corrections
9 shall be [satisfied] RATIFIED by the passage of the Annual Corrective Bill of 2006.

10 DRAFTER'S NOTE:

11 Error: Incorrect word usage in Section 11 of Ch. 439, Acts of 2005.

12 Occurred: Ch. 439, Acts of 2005.

13

Chapter 442 of the Acts of 2005

14 SECTION [2.] 4. AND BE IT FURTHER ENACTED, That:

15 (a) Funding for the implementation of this Section and this Act shall be as
16 provided in the State budget.

17 (b) The Maryland Aviation Commission shall change the existing signs in the
18 airport to reflect the renaming of Baltimore-Washington International Airport to be
19 the Baltimore-Washington International Thurgood Marshall Airport.

20 (c) Letterhead, business cards, and other documents reflecting the renaming
21 of Baltimore-Washington International Airport to be the Baltimore-Washington
22 International Thurgood Marshall Airport may not be used until all letterhead,
23 business cards, and other documents already in print and reflecting the name of the
24 airport prior to the effective date of this Act have been used.

25 (d) In fiscal year 2006, funds intended for renaming Baltimore-Washington
26 International Airport to be the Baltimore-Washington International Thurgood
27 Marshall Airport may not be used to:

28 (1) replace highway signs that use the Baltimore-Washington
29 International Airport name or logo; or

30 (2) repaint buses that use the Baltimore-Washington International
31 Airport name or logo.

32 SECTION [4.] 5. AND BE IT FURTHER ENACTED, That, consistent with
33 the long-standing policy on the naming of State buildings and other capital
34 improvements adopted by the Board of Public Works in 1961, and reiterated on

1 January 15, 2004, Sections 1 and 3 of this Act shall take effect October 1, 2005,
2 contingent on ratification by the Board of Public Works of the renaming of the
3 Baltimore-Washington International Airport to be the Baltimore-Washington
4 International Thurgood Marshall Airport. Upon ratification of the name change
5 under this section, the Board of Public Works shall notify the Department of
6 Legislative Services, 90 State Circle, Annapolis, Maryland 21401.

7 SECTION [5.] 6. AND BE IT FURTHER ENACTED, That, subject to Section
8 [4] 5 of this Act this Act shall take effect October 1, 2005.

9 DRAFTER'S NOTE:

10 Error: Incorrect section number designations in Sections 2, 4, and 5 and
11 incorrect internal reference in Section 5 of Ch. 442, Acts of 2005.

12 Occurred: Ch. 442, Acts of 2005.

13 **Chapter 524 of the Acts of 2005**

14 SECTION 7. AND BE IT FURTHER ENACTED, That Section [2] 3 of this Act
15 shall take effect on the taking effect of the termination provision specified in Section
16 20 of Chapter 289 of the Acts of the General Assembly of 2002. If that termination
17 provision takes effect, Section [3] 2 of this Act shall be abrogated and of no further
18 force and effect. This Act may not be interpreted to have any effect on that
19 termination provision.

20 DRAFTER'S NOTE:

21 Error: Incorrect internal references in Section 7 of Ch. 524, Acts of 2005.

22 Occurred: Ch. 524, Acts of 2005.

23 **Article 1 - Allegany County**

24 32-10.

25 The County Commissioners of Allegany County are directed to pay to the Clerk
26 of the Court, to be expended under the direction of the Judges of said Court for the
27 augmentation, maintenance and upkeep of the library of said Court, such sums of
28 money as said Judges may, from time to time, request for the purpose aforesaid, such
29 sums in the aggregate not less than the sum of three thousand dollars (\$3,000.) in any
30 one (1) year; provided, however, that such payments shall be made only in the event
31 that the amounts received by said Clerk for the aforesaid purposes from fines and
32 forfeitures, as provided by [Section 5 of Article 38 of the Annotated Code of Public
33 General Laws of Maryland] § 7-507 OF THE COURTS AND JUDICIAL PROCEEDINGS
34 ARTICLE OF THE ANNOTATED CODE OF MARYLAND, shall be insufficient for said
35 purposes.

36 DRAFTER'S NOTE:

1 Error: Incorrect cross-reference in § 32-10 of the Public Local Laws of
2 Allegany County.

3 Occurred: As a result of Ch. 26, Acts of 2004.

4 **Article 22 - Washington County**

5 1-401.

6 The County Commissioners may empower the Sheriff to work, for any purpose
7 in addition to those specified in [Article 27, § 712 of the Annotated Code] § 9-503 OF
8 THE CORRECTIONAL SERVICES ARTICLE OF THE ANNOTATED CODE OF MARYLAND,
9 prisoners who have been sentenced to the Washington Detention Center.

10 DRAFTER'S NOTE:

11 Error: Incorrect cross-reference in § 1-401 of the Public Local Laws of
12 Washington County.

13 Occurred: As a result of Ch. 54, Acts of 1999.

14 3-501.

15 (b) Any payments shall be made only if the amounts received by the Clerk for
16 the purposes specified in this section from fines and forfeitures, as provided by
17 [Article 38, § 5 of the Annotated Code] § 7-507 OF THE COURTS AND JUDICIAL
18 PROCEEDINGS ARTICLE OF THE ANNOTATED CODE OF MARYLAND, are insufficient
19 for those purposes.

20 DRAFTER'S NOTE:

21 Error: Incorrect cross-reference in § 3-501(b) of the Public Local Laws of
22 Washington County.

23 Occurred: As a result of Ch. 26, Acts of 2004.

24 SECTION 2. AND BE IT FURTHER ENACTED, That the publisher of the
25 Annotated Code of Maryland, subject to the approval of the Department of Legislative
26 Services, shall make any changes in the text of the Annotated Code necessary to
27 effectuate any termination provision that was enacted by the General Assembly and
28 has taken effect or will take effect prior to October 1, 2006. Any enactment of the 2006
29 Session of the General Assembly that negates or extends the effect of a previously
30 enacted termination provision shall prevail over the provisions of this section.

31 SECTION 3. AND BE IT FURTHER ENACTED, That the Drafter's Notes
32 contained in this Act are not law and may not be considered to have been enacted as
33 part of this Act.

34 SECTION 4. AND BE IT FURTHER ENACTED, That the provisions of this
35 Act are intended solely to correct technical errors in the law and there is no intent to

1 revive or otherwise affect law that is the subject of other acts, whether those acts were
2 signed by the Governor prior to or after the signing of this Act.

3 SECTION 5. AND BE IT FURTHER ENACTED, That any reference in the
4 Annotated Code of Maryland rendered obsolete by an Act of the General Assembly of
5 2006 shall be corrected by the publisher of the Annotated Code, in consultation with
6 and subject to the approval of the Department of Legislative Services, with no further
7 action required by the General Assembly. The publisher shall adequately describe any
8 such correction in an editor's note following the section affected.

9 SECTION 6. AND BE IT FURTHER ENACTED, That the publisher of the
10 Annotated Code of Maryland, in consultation with and subject to the approval of the
11 Department of Legislative Services, at the time of publication of a new supplement,
12 new volume, or replacement volume of the Annotated Code, shall make
13 nonsubstantive corrections to codification, style, capitalization, punctuation,
14 grammar, spelling, and any reference rendered obsolete by an Act of the General
15 Assembly, with no further action required by the General Assembly. The publisher
16 shall adequately describe any such correction in an editor's note following the section
17 affected.

18 SECTION 7. AND BE IT FURTHER ENACTED, That this Act is an
19 emergency measure, is necessary for the immediate preservation of the public health
20 or safety, has been passed by a yea and nay vote supported by three-fifths of all the
21 members elected to each of the two Houses of the General Assembly, and shall take
22 effect from the date it is enacted.