

## CHAPTER 36

(Senate Bill 601)

AN ACT concerning

### Annual Corrective Bill

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

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 6–301(q)(6) and 8–404.1(b) and (c)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,  
Article 28 – Maryland–National Capital Park and Planning Commission  
Section 2–112.2(g)(1)(ii)1.  
Annotated Code of Maryland  
(2003 Replacement Volume and 2007 Supplement)

BY repealing  
Article 41 – Governor – Executive and Administrative Departments  
Title designation “Title 6. Department of Human Resources”  
Annotated Code of Maryland  
(2003 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,  
Article 41 – Governor – Executive and Administrative Departments  
Section 13–510(h)(1)(i)  
Annotated Code of Maryland  
(2003 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,  
Article 49B – Human Relations Commission  
Section 11D(a)

Annotated Code of Maryland  
(2003 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,  
Article – Agriculture  
Section 8–403(d)  
Annotated Code of Maryland  
(2007 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Business Occupations and Professions  
Section 14–101  
Annotated Code of Maryland  
(2004 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,  
Article – Commercial Law  
Section 13–301(14)(xxi) and 23–101(e)(2)(iii), (iv), and (v)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 2–309(o)(4)(i) and (r)(8)(i)3., 3–8A–26, 5–401(b)(1)(iii)1.C., 5–603(b),  
7–302(a), and 10–408(g)(4) and (5)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 7–104(i)  
Annotated Code of Maryland  
(2002 Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,  
Article – Education  
Section 2–205(j)(1), 6–407(c)(5)(iii)1., and 6–504(d)(3)(ii)1.  
Annotated Code of Maryland  
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,  
Article – Education  
Section 7–428(a)(1)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2007 Supplement)  
(As enacted by Chapter 478 of the Acts of the General Assembly of 2007)

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 2–207(e), 2–303(a)(1), and 13–305(e)  
Annotated Code of Maryland  
(2003 Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 4–215(d), 4–401(i)(1) and (k), 4–410(b), 4–412(a)(2), 5–101(h)(1),  
9–268, and 15–308  
Annotated Code of Maryland  
(2007 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,  
Article – Estates and Trusts  
Section 11–102(b)  
Annotated Code of Maryland  
(2001 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 5–401(c)(1)(i), 5–506(e), 5–539(b)(4) and (5), 5–539.1(g)(1) and (h),  
5–545(a)(2), 5–1306(1), 10–113(h), and 10–119(d)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 2–206(c), 2–207(e)(2), 18–215(f)(1), and 19–134(e)(3)(ii)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 17–104(e)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2007 Supplement)  
(As enacted by Chapter 74 of the Acts of the General Assembly of 2007)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 18–207(b)(2) and (3)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2007 Supplement)

(As enacted by Chapters 212 and 213 of the Acts of the General Assembly of 2007)

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 2–305(b)(3)(i), 7–205(a)(9), 7–601, and 15–206(b)(2)(ii)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 2–310.1(b)(1)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2007 Supplement)  
(As enacted by Chapter 391 of the Acts of the General Assembly of 2007)

BY repealing and reenacting, without amendments,  
Article – Health Occupations  
Section 7–101(a) and the title “Title 7. Morticians and Funeral Directors”;  
7–201 and the subtitle “Subtitle 2. State Board of Morticians and Funeral  
Directors”  
Annotated Code of Maryland  
(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 8–202(b)(1)(iii)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2007 Supplement)  
(As enacted by Chapter 544 of the Acts of the General Assembly of 2007)

BY repealing  
Article – Health Occupations  
Section 20–101(h)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 14–115(d)(11)(iii)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 14–606(1)(iii) and 14–609(a)

Annotated Code of Maryland  
(2006 Replacement Volume and 2007 Supplement)  
(As enacted by Chapter 629 of the Acts of the General Assembly of 2007)

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 8–607(b)(1)(iv)  
Annotated Code of Maryland  
(1999 Replacement Volume and 2007 Supplement)  
(As enacted by Chapter 471 of the Acts of the General Assembly of 2007)

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 9–234(r)  
Annotated Code of Maryland  
(1999 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 4–702(a)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 10–301.1(c)(3)  
Annotated Code of Maryland  
(2007 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 3–105(d)(3)(i), 11–136(a)(1) and (e), and 14–125.2(a)(3)(iii)  
Annotated Code of Maryland  
(2003 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 14–108.1(a)(3)  
Annotated Code of Maryland  
(2003 Replacement Volume and 2007 Supplement)  
(As enacted by Chapter 286 of the Acts of the General Assembly of 2007)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 7–315(f)(2)(iv), 18–102(a)(1), 18–103(c)(2), 19–107(a) and (d)(2)(ii), and  
19–110(a)

Annotated Code of Maryland  
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 2–10A–03(b)(2)(i), 8–403(b), 9–802(h)(4), 15–704(c)(1), and 15–705(a)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 34–101(i)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2007 Supplement)  
(As enacted by Chapter 355 of the Acts of the General Assembly of 2007)

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 37–203.1(b)(3)(i)1.  
Annotated Code of Maryland  
(2004 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 2–1103, 10–207(c–1)(1)(i), 10–704.3(g), 13–901(f)(1)(ii)3. through 5., and  
13–1001(f)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–211(b)(1)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2007 Supplement)  
(As enacted by Chapter 3 of the Acts of the General Assembly of the 2007  
Special Session)

BY adding to  
Article – Tax – General  
Section 13–901(f)(1)(ii)6.  
Annotated Code of Maryland  
(2004 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 1–101(x)(3), 7–511(b)(1), and 14–1009(a)

Annotated Code of Maryland  
(2007 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 9–246(a)

Annotated Code of Maryland  
(2007 Replacement Volume)

(As enacted by Chapters 558 and 559 of the Acts of the General Assembly of  
2007)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 4–312(a)(1), 7–1003(3)(ii), and 8–402(b)(4)

Annotated Code of Maryland

(2001 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 21–809(a)(4)(ii)3. and 23–202(b)(1)

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Chapter 636 of the Acts of the General Assembly of 2007

Section 2

BY repealing and reenacting, with amendments,

The Public Local Laws of Frederick County

Section 2–13–13(a)

Article 11 – Public Local Laws of Maryland

(2004 Edition and November 2007 Supplement, as amended)

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

**Article 2B – Alcoholic Beverages**

6–301.

- (q) (6) (i) There is a fraternal/sororal/service license.
- (ii) The annual license fee is \$1,000.

(iii) The license may be issued to any local unit of a lodge or chapter of any bona fide nonprofit and nationwide fraternal, sororal, or service organization that:

1. Is composed solely of members duly elected and initiated in accordance with the rites and customs of that fraternal, sororal, or service organization;

2. Is in existence and operating in Montgomery County prior to the time of making application for a license;

3. Has a bona fide membership of not less than 200 persons and dues of not less than \$5 per year per person; **AND**

4. Owns and operates a clubhouse principally for the use of its members and their guests when accompanied by members and for no other purpose, and not directly or indirectly owned or operated as a public business[;].

[5.](IV) A licensee may keep for sale and sell at retail any alcoholic beverages to any member or guest when accompanied by a member[;].

[6.] (V) The licensee is subject to all of the provisions of this article relating to beer, wine and liquor licenses, Class C, in force in Montgomery County, except the provisions requiring the maintenance of a championship golf course[; and].

[7.](VI) This license solely authorizes the sale and consumption on premises only.

DRAFTER'S NOTE:

Error: Incorrect tabulation in Article 2B, § 6-301(q)(6).

Occurred: Ch. 5, Acts of 1993.

8-404.1.

(b) The Board of License Commissioners may issue a Class BWT beer and light wine (on-premises) tasting license to the holder of a Class A beer and light wine [tasting] license.

(c) The Board of License Commissioners may issue a Class BWLT beer, wine[, ] and liquor (on-premises) tasting license to a holder of a Class A beer, wine[, ] and liquor license.



DRAFTER'S NOTE:

Error: Extraneous word in Article 2B, § 8-404.1(b) and extraneous commas in (c).

Occurred: Ch. 561, Acts of 2007.

**Article 28 – Maryland–National Capital Park and Planning Commission**

2-112.2.

(g) (1) (ii) 1. If the [hearing officer] **ADMINISTRATIVE LAW JUDGE** finds that the Commission was arbitrary and capricious in soliciting or entering into a service contract that is subject to the requirements of this section, and the Commission employee has been adversely affected, the [hearing officer] **ADMINISTRATIVE LAW JUDGE** may award the employee actual damages for back pay and front pay for a combined period of up to 2 years beginning on the date the employee was first adversely affected, provided that the employee is obligated to mitigate the actual damages.

DRAFTER'S NOTE:

Error: Incorrect terminology in Article 28, § 2-112.2(g)(1)(ii)1.

Occurred: Ch. 427, Acts of 2007.

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

[Title 6.  
Department of Human Resources.]

DRAFTER'S NOTE:

Error: Obsolete title in Article 41.

Occurred: Ch. 3, Acts of 2007.

13-510.

(h) (1) (i) The Corporation may provide for the issuance of its bonds to [refunding] **REFUND** any outstanding bonds, including the payment of any redemption premium and any interest accrued or accruing to a later date of redemption, purchase, or maturity of the bonds, and, if the Corporation determines it advisable, for the additional purpose of paying all or any part of the cost of a project.

DRAFTER'S NOTE:

Error: Grammatical error in Article 41, § 13–510(h)(1)(i).

Occurred: Ch. 467, Acts of 2004.

### **Article 49B – Human Relations Commission**

11D.

(a) In an action brought under this [section] **SUBTITLE**, the court, in its discretion, may award the prevailing party reasonable attorney's fees, expert witness fees, and costs.

DRAFTER'S NOTE:

Error: Erroneous internal reference in Article 49B, § 11D(a).

Occurred: Chs. 176 and 177, Acts of 2007.

### **Article – Agriculture**

8–403.

(d) The application shall be accompanied by a statement of the Committee, which shall recite the fact that:

- (1) A petition was filed;
- (2) Notice was given;
- (3) A referendum was held on the question of dividing or combining, or both, the named districts;
- (4) The Committee determined that division or combination, or both, was administratively feasible;
- (5) The division or combination, or both, of the property, [assets] **ASSETS**, and rights was decided upon and carried out in accordance with this subtitle; and
- (6) The boundaries of the district **ARE** as described in the petition, or **AS** further defined by the Committee.

DRAFTER'S NOTE:

Error: Incorrect punctuation and grammatical error in § 8–403(d) of the Agriculture Article.

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

### **Article – Business Occupations and Professions**

14–101.

- (a) In this title the following words have the meanings indicated.
- (b) “Board” means the State Board for Professional Engineers.
- (c) “Design coordination” means the review and coordination of services provided by individuals licensed or certified under Titles 3, 8, 9, 14, and 15 of this article.
- (d) [(1)] “License” means, unless the context requires otherwise, a license issued by the Board to practice engineering.
  - [(2)] “License” includes, unless the context requires otherwise, a limited license.]
- (e) “License fee” means, as applicable, the fee paid in connection with the issuance and renewal of a license and the issuance of a [limited license and] reciprocal license.
- [(f)] “Limited license” means a license issued by the Board to practice engineering as limited by § 14–316 of this title.]
- [(g)] (F) (1) “Practice engineering” means to provide any service or creative work the performance of which requires education, training, and experience in the application of:
  - (i) special knowledge of the mathematical, physical, and engineering sciences; and
  - (ii) the principles and methods of engineering analysis and design.
- (2) In regard to a building or other structure, machine, equipment, process, works, system, project, or public or private utility, “practice engineering” includes:
  - (i) consultation;

- (ii) design;
- (iii) evaluation;
- (iv) inspection of construction to ensure compliance with specifications and drawings;
- (v) investigation;
- (vi) planning; and
- (vii) design coordination.

(3) “Practice engineering” does not include the exclusive and sole performance of nontechnical management activities.

[(h)] (G) “Professional engineer” means, unless the context requires otherwise, an engineer who is licensed by the Board to practice engineering.

[(i)] (H) (1) “Responsible charge” means direct control and personal supervision of engineering that requires initiative, professional skill, and independent judgment.

(2) “Responsible charge” includes responsible engineering teaching.

**DRAFTER’S NOTE:**

Error: Obsolete reference in § 14–101(e) and obsolete definition in § 14–101(f) of the Business Occupations and Professions Article.

Occurred: As a result of Ch. 403, Acts of 2007. The authority of the State Board for Professional Engineers to issue a limited license was repealed by Ch. 403 of the Acts of 2007.

**Article – Commercial Law**

13–301.

Unfair or deceptive trade practices include any:

(14) Violation of a provision of:

(xxi) Title 14, Subtitle [33] **34** of this article, the Social Security Number Privacy Act;

**DRAFTER’S NOTE:**

Error: Erroneous cross-reference in § 13–301(14)(xxi) of the Commercial Law Article.

Occurred: Ch. 521, Acts of 2005.

23–101.

(e) (2) “Retirement community” does not include:

(iii) A program licensed by the Department of [Mental Health and Hygiene] **HEALTH AND MENTAL HYGIENE** under Title 7 or Title 10 of the Health – General Article;

(iv) A freestanding hospice care program regulated by the Department of [Mental Health and Hygiene] **HEALTH AND MENTAL HYGIENE** under Title 19, Subtitle 9 of the Health – General Article;

(v) A freestanding day care center for the elderly regulated by the Department of [Mental Health and Hygiene] **HEALTH AND MENTAL HYGIENE** under Title 14, Subtitle 2 of the Health – General Article;

DRAFTER’S NOTE:

Error: Misnomer in § 23–101(e)(2)(iii), (iv), and (v) of the Commercial Law Article.

Occurred: Ch. 292, Acts of 2004.

### **Article – Courts and Judicial Proceedings**

2–309.

(o) (4) The primary duties of the Sheriff are the following:

(i) The security of the circuit court, and the performance of such duties as may be required of [them] **THE SHERIFF** by that court;

(r) (8) (i) The Sheriff and the Sheriff’s deputies shall be limited in their duties as law enforcement officers, as follows:

3. The security of all State and county courts and [perform] **THE PERFORMANCE OF** such duties as may be required of them by the courts;

DRAFTER’S NOTE:

Error: Incorrect word usage in § 2–309(o)(4)(i) and (r)(8)(i)3 of the Courts and Judicial Proceedings Article.

Occurred: Ch. 426, Acts of 1985; Ch. 250, Acts of 1975.

3–8A–26.

Pursuant to the procedure provided in the Maryland Rules, the court may make an appropriate order directing, restraining, or otherwise controlling the conduct of a person who is properly before the court under this subtitle, if:

(1) The court finds that the conduct:

(i) Is or may be detrimental or harmful to a child over whom the court has jurisdiction; [or]

(ii) Will tend to defeat the execution of an order or disposition made or to be made; or

(iii) Will assist in the rehabilitation of or is necessary for the welfare of the child; and

(2) Notice of the application or motion and its grounds has been given as prescribed by the Maryland Rules.

**DRAFTER'S NOTE:**

Error: Extraneous conjunction in § 3–8A–26 of the Courts and Judicial Proceedings Article.

Occurred: Ch. 554, Acts of 1975.

5–401.

(b) (1) (iii) 1. “Motor carrier transportation contract” means a contract, agreement, or understanding concerning:

C. A service incidental to an activity described in item [(i)]**A** or [(ii)]**B** of this [paragraph] **SUBSUBPARAGRAPH**, including storage of property.

**DRAFTER'S NOTE:**

Error: Erroneous internal reference in § 5–401(b)(1)(iii)1C of the Courts and Judicial Proceedings Article.

Occurred: Ch. 83, Acts of 2007.

5-603.

(b) Subsection (a) of this section applies to the following:

(1) An individual who is licensed by this State to provide medical care;

(2) A member of any State, county, municipal, or volunteer fire department, ambulance and rescue squad [or], **OR** law enforcement agency [or of], the National Ski Patrol System, or a corporate fire department responding to a call outside of its corporate premises, if the member:

(i) Has completed an American Red Cross course in advanced first aid and has a current card showing that status;

(ii) Has completed an equivalent of an American Red Cross course in advanced first aid, as determined by the Secretary of Health and Mental Hygiene; or

(iii) Is certified or licensed by this State as an emergency medical services provider;

(3) A volunteer fire [department,] **DEPARTMENT OR** ambulance and rescue squad whose members have immunity; and

(4) A corporation when its fire department personnel are immune under paragraph (2) of this subsection.

**DRAFTER'S NOTE:**

Error: Omitted comma, extraneous words, and extraneous comma in § 5-603(b)(2) and (3) of the Courts and Judicial Proceedings Article.

Occurred: Ch. 770, Acts of 1982.

7-302.

(a) Except as provided in subsections (b) through [(e)] **(F)** of this section, the clerks of the District Court shall:

(1) Collect costs, fines, forfeitures, or penalties imposed by the court;  
and

(2) Remit them to the State under a system agreed upon by the Chief Judge of the District Court and the Comptroller.

**DRAFTER'S NOTE:**

Error: Erroneous internal reference in § 7-302(a) of the Courts and Judicial Proceedings Article.

Occurred: As a result of Chs. 13 and 16, Acts of 2006.

10-408.

(g) (4) Within a reasonable [time] **TIME**, but not later than 90 days after the termination of the period of an order or [extensions thereof] **EXTENSION OF AN ORDER**, the issuing judge shall cause to be [served,] **SERVED** on the persons named in the order, and **ON** the other parties to intercepted communications as the judge may determine in [his] **THE JUDGE'S** discretion [that] is in the interest of justice, an inventory which shall include notice of:

- (i) The fact of the entry of the order;
- (ii) The date of the entry and the period of authorized interception; and
- (iii) The fact that during the period wire, oral, or electronic communications were or were not intercepted.

(5) The judge, upon the filing of a motion, shall make available to the person or [his] **THE PERSON'S** counsel for inspection portions of the intercepted communications, [applications] **APPLICATIONS**, and orders pertaining to that person and the alleged crime.

[(5)](6) On an ex parte showing of good cause to the judge, the serving of the inventory required by this subsection may be postponed. The periods of postponement may not be longer than the authorizing judge deems necessary to achieve the purposes for which they were granted and in no event for longer than 30 days. No more than three periods of postponement may be granted. Any order issued extending the time in which the inventory notice is to be served must be under seal of the court and treated in the same manner as the order authorizing interception.

**DRAFTER'S NOTE:**

Error: Stylistic, punctuation, and grammatical errors in § 10-408(g)(4) and (5) of the Courts and Judicial Proceedings Article.



Occurred: Ch. 692, Acts of 1977.

**Article – Criminal Law**

7–104.

(i) An action or prosecution for a violation of [paragraph (2) or (3) of this] subsection **(G)(2) OR (3) OF THIS SECTION** shall be commenced within 2 years after the commission of the crime.

DRAFTER’S NOTE:

Error: Erroneous internal reference in § 7–104(i) of the Criminal Law Article.

Occurred: Ch. 130, Acts of 2004.

**Article – Education**

2–205.

(j) (1) The State Board shall send the Governor an annual State public school budget including, subject to the [State] **MARYLAND** Constitution and existing laws, the appropriation for:

(i) The Department; and

(ii) State aid to the counties for current expenses, for student transportation and for the construction of school buildings.

DRAFTER’S NOTE:

Error: Stylistic error in § 2–205(j)(1) of the Education Article.

Occurred: Ch. 22, § 2, Acts of 1978.

6–407.

(c) (5) (iii) 1. Subject to the provisions of [sub–subparagraph] **SUBSUBPARAGRAPH 2** of this subparagraph, the employee organization designated as the exclusive representative for the public school employees shall indemnify and hold harmless the Board of Education of Baltimore County against any and all claims, demands, suits, or any other forms of liability that may arise out of, or by reason of, action taken by the Board for the purpose of complying with any of the agency or representation fee provisions of the negotiated agreement.

DRAFTER’S NOTE:

Error: Extraneous hyphen in § 6–407(c)(5)(iii)1 of the Education Article.

Occurred: Ch. 706, Acts of 1997.

6–504.

(d) (3) (ii) 1. Subject to the provisions of [sub–subparagraph] **SUBSUBPARAGRAPH 2** of this subparagraph, the employee organization designated as the exclusive representative for the public school employees shall indemnify and hold harmless the Board of Education of Baltimore County against any and all claims, demands, suits, or any other forms of liability that may arise out of, or by reason of, action taken by the Board for the purpose of complying with any of the agency or representation fee provisions of the negotiated agreement.

DRAFTER'S NOTE:

Error: Extraneous hyphen in § 6–504(d)(3)(ii)1 of the Education Article.

Occurred: Ch. 543, Acts of 1994.

7–428.

(a) [(1)] The Department, in collaboration with the Department of Health and Mental Hygiene, shall provide awareness and training for Directors of Student Services in local education agencies on inhalant abuse.

DRAFTER'S NOTE:

Error: Stylistic error in § 7–428(a) of the Education Article.

Occurred: Ch. 478, Acts of 2007. Correction by the publisher of the Annotated Code in the 2007 Supplement of the Education Article is ratified by this Act.

### **Article – Election Law**

2–207.

(e) An employee of a local board is subject to the restrictions and requirements of § 2–301 of this [article] **TITLE**.

DRAFTER'S NOTE:

Error: Stylistic error in § 2–207(e) of the Election Law Article.

Occurred: Ch. 291, Acts of 2002.

2–303.

(a) (1) Subject to paragraph (2) of this [section] **SUBSECTION**, as it deems it expedient for the convenience of voters, a local board may:

- (i) create and alter the boundaries for precincts in the county;
- (ii) designate the location for polling places in any election district, ward, or precinct in the county; and
- (iii) combine or abolish precincts.

**DRAFTER’S NOTE:**

Error: Stylistic error in § 2–303(a)(1) of the Election Law Article.

Occurred: Ch. 61, Acts of 2006.

13–305.

(e) A violation of [subsections] **SUBSECTION** (b) or (d) of this section constitutes a failure to file by the campaign finance entity, and the responsible officers are guilty of a misdemeanor and on conviction are subject to the penalties prescribed under Part VII of this [title] **SUBTITLE**.

**DRAFTER’S NOTE:**

Error: Stylistic errors in § 13–305(e) of the Election Law Article.

Occurred: Ch. 449, Acts of 2007; Ch. 291, Acts of 2002 (Incorrect use of “title” was originally enacted in § 13–305(a)(3) of the Election Law Article as enacted by Ch. 291, Acts of 2002, and was reenacted in subsequent Acts. See Ch. 510, Acts of 2006 and Ch. 449, Acts of 2007.).

### **Article – Environment**

4–215.

(d) For purposes of a civil action brought under subsection (c) **OF THIS SECTION**, each day during which a violation continues constitutes a separate offense.

**DRAFTER’S NOTE:**

Error: Stylistic error in § 4–215(d) of the Environment Article.

Occurred: Ch. 682, Acts of 1982.

4-401.

(i) (1) “Oil storage facility” means any installation, structure or premises, [above ground] **ABOVEGROUND** or underground, in which oil is stored.

(k) “Removal costs” means the costs of removal that are incurred after a discharge of oil has [occurred, or] **OCCURRED OR**, in any case where there is a substantial threat of a discharge of oil, the costs to prevent, minimize, or mitigate oil pollution from such an incident.

DRAFTER’S NOTE:

Error: Stylistic error; misplaced punctuation in § 4-401(i)(1) and (k) of the Environment Article.

Occurred: Ch. 808, Acts of 1989; Ch. 459, Acts of 1992.

4-410.

(b) Notwithstanding any provision of this subtitle, any person discharging or permitting the discharge of oil, or who either actively or passively participates in the discharge or spilling of oil either from a land-based installation, including aboveground or underground storage tanks and vehicles in transit, or from any vessel, barge, ship, or boat of any kind, shall report the incident immediately to the Department [of the Environment]. [He] **THE PERSON** shall remain available until clearance to leave is given by the appropriate officials designated by the Department.

DRAFTER’S NOTE:

Error: Stylistic errors in § 4-410(b) of the Environment Article.

Occurred: Ch. 306, Acts of 1987; Ch. 4, Acts of the First Special Session of 1973.

4-412.

(a) (2) If the Department exercises the option provided by paragraph (1)(ii) of this subsection, the alleged violator may request in writing a hearing before the Department not later than ten days after the date that notice of the requirement of the written report is served. The appearance of the alleged violator before the Department under the options provided by paragraph (1)(iii) or [(1)](iv) of this subsection constitutes an administrative hearing, and the party has the right of any party in a contested case provided in §§ 10-205, 10-208, and 10-209 of the State Government Article. If the Department exercises the option provided by [paragraphs] **PARAGRAPH** (1)(ii), [(1)](iii), or [(1)](iv) of this subsection, it may not issue an order

requiring corrective action to be taken as a result of the alleged violation before expiration of the time set for filing any report and holding any hearing required under these paragraphs. Thereafter, the Department may issue an order requiring necessary corrective action be taken within the time prescribed in the order. A person is not entitled to a hearing before the Department as a result of this order. Notice of a hearing or of a requirement that a written report be filed shall be served on the alleged violator in accordance with the provisions of subsection (c) of this section not less than ten days before the time set for the hearing or filing of a report. Every order the Department issues under the provisions of this section shall be served on the person affected in accordance with the provisions of subsection (c) of this section. The order shall become effective immediately according to its terms upon service.

**DRAFTER'S NOTE:**

Error: Stylistic errors in § 4–412(a)(2) of the Environment Article.

Occurred: As a result of an improper correction made by the publisher of the Annotated Code under the authority of Ch. 45, § 6, Acts of 2006 during preparation of the 2007 Replacement Volume of the Environment Article.

5–101.

(h) (1) “Pollution” means every contamination or other alteration of the physical, chemical, or biological [properties,] **PROPERTIES** of any waters of the State.

**DRAFTER'S NOTE:**

Error: Extraneous comma in § 5–101(h)(1) of the Environment Article.

Occurred: Ch. 488, Acts of 1995.

9–268.

Except for violations of Part III of this subtitle and violations enforced under §§ 9–229(b), 9–267, and 9–268.1 of this subtitle, the provisions of §§ 9–334 through 9–344 [of Subtitle 3] of this title shall be used and shall apply to enforce violations of:

- (1) This subtitle;
- (2) Any regulation adopted under this subtitle; or
- (3) Any order or permit issued under this subtitle.

**DRAFTER'S NOTE:**

Error: Stylistic error in § 9–268 of the Environment Article.

Occurred: Ch. 412, Acts of 1988.

15–308.

Upon payment to the State of a certificate fee of \$1, each successful applicant shall be entitled to a certificate signed by the examining authority. The certificate shall state the name, age, and residence of the person certified, the position for which [he] **THE PERSON** qualified, and [his] **THE PERSON'S** experience. A photograph furnished by the certificate holder shall be mounted on the certificate across which shall be impressed the seal and signature of the examining authority. A certificate may not be transferred. If the certificate is lost or destroyed, the examining authority, when satisfied of the loss or destruction, shall supply the certificate holder with a copy of it, on payment to the State of a [50¢] fee **OF 50 CENTS**.

**DRAFTER'S NOTE:**

Error: Stylistic errors in § 15–308 of the Environment Article.

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

### **Article – Estates and Trusts**

11–102.

(b) Subject to §§ 4–409 **OF THIS ARTICLE** and 11–103 **OF THIS SUBTITLE**, the common-law rule against perpetuities as now recognized in the State is preserved, but the rule does not apply to the following:

(1) A legacy or inter vivos conveyance having a value of \$5,000 or less, or of any burial lot of any value, in trust or otherwise, for the purpose of providing for the perpetual care or keeping in good order and condition, or making repairs to, any lot, vault, mausoleum, or other place of sepulture belonging to any individual or several individuals in any cemetery or graveyard, the lots in which are intended for the burial of members of the family, family connections, relatives, or friends of the owners, or their successors in ownership;

(2) A legacy or inter vivos conveyance intended to transfer assets from any corporation incorporated for charitable objects, to any other charitable corporation on a contingency or future event;

(3) A trust created by an employer as part of a pension, stock bonus, disability, death benefit, profit-sharing, retirement, welfare, or other plan for the exclusive benefit of some or all of the employees of the employer or their beneficiaries, to which contributions are made by the employer or employees, or both the employer and employees, for the purpose of making distributions to or for the benefit of

employees or their beneficiaries out of the income or principal or both the income and principal of the trust, or for any other purposes set out in the plan;

(4) A trust for charitable purposes, which shall include all purposes as are within the spirit or letter of the statute of 43 Elizabeth Ch. 4 (1601), commonly known as the statute of charitable uses;

(5) A trust in which the governing instrument states that the rule against perpetuities does not apply to the trust and under which the trustee, or other person to whom the power is properly granted or delegated, has the power under the governing instrument, applicable statute, or common law to sell, lease, or mortgage property for any period of time beyond the period that is required for an interest created under the governing instrument to vest, so as to be good under the rule against perpetuities;

(6) An option of a tenant to renew a lease;

(7) An option of a tenant to purchase all or part of the premises leased by the tenant;

(8) An option of a usufructuary to extend the scope of an easement or profit;

(9) The right of a county, a municipality, a person from whom land is acquired, or the successor-in-interest of a person from whom land is acquired, to acquire land from the State in accordance with § 8-309 of the Transportation Article;

(10) A right or privilege, including an option, warrant, pre-emptive right, right of first refusal, right of first option, right of first negotiation, call right, exchange right, or conversion right, to acquire an interest in a domestic or foreign joint venture, partnership, limited liability partnership, limited partnership, limited liability limited partnership, corporation, cooperative, limited liability company, business trust, or similar enterprise, whether the interest is characterized as a joint venture interest, partnership interest, limited partnership interest, membership interest, security, stock, or otherwise; or

(11) A nondonative property interest as described in § 11-102.1 of this subtitle.

**DRAFTER'S NOTE:**

Error: Stylistic errors in § 11-102(b) of the Estates and Trusts Article.

Occurred: Ch. 11, Acts of 1974.

**Article – Family Law**

5-401.

(c) "Eligible child" means a minor as to whom:

(1) (i) guardianship has been awarded to a child placement agency under Subtitle 3 **OR SUBTITLE 3A** of this title; or

DRAFTER'S NOTE:

Error: Omitted cross-reference in § 5-401(c)(1)(i) of the Family Law Article.

Occurred: Ch. 464, Acts of 2005.

5-506.

(e) [As provided in Article 49D, § 12 of the Code, the] **THE** Department shall cooperate in planning and determining the cost of developing and implementing a system of evaluating the success of services to children in out-of-home placement.

DRAFTER'S NOTE:

Error: Obsolete internal reference in § 5-506(e) of the Family Law Article.

Occurred: As a result of Ch. 3, Acts of 2007.

5-539.

(b) The State Board shall:

(4) make recommendations to the Secretary **OF HUMAN RESOURCES** and the General Assembly regarding:

(i) the response of the State to child abuse and neglect; and

(ii) out-of-home care policies, procedures, and practices; and

(5) subject to § 2-1246 of the State Government Article, report to the General Assembly and the Secretary **OF HUMAN RESOURCES** on the first day of each year on the status of children in out-of-home placement in this State.

DRAFTER'S NOTE:

Error: Incorrect word usage in § 5-539(b)(4) and (5) of the Family Law Article.

Occurred: Ch. 153, Acts of 2007.



5-539.1.

(g) (1) The State Board shall submit, subject to § 2-1246 of the State Government Article, to the General Assembly and the Secretary **OF HUMAN RESOURCES** on or before January 1 of each year and prepare and make available to the public a report containing a summary of its activities, findings, and recommendations under this section.

(h) Within 120 days after receiving the report from the State Board under § 5-539 of this subtitle or the report under subsection (g) of this section, the Secretary **OF HUMAN RESOURCES** shall send a written response to the State Board describing the actions to be taken by the Department in response to the recommendations of the State Board.

DRAFTER'S NOTE:

Error: Incorrect word usage in § 5-539.1(g)(1) and (h) of the Family Law Article.

Occurred: Ch. 153, Acts of 2007.

5-545.

(a) (2) The regulations adopted by the State Board and the Secretary **OF HUMAN RESOURCES** shall require:

(i) at least one review within the first 12 months after a child enters out-of-home placement; and

(ii) subsequent reviews when the court, the local department, an interested person, or the local board raises a concern that the local board may address through the findings and recommendations required under subsection (c) of this section.

DRAFTER'S NOTE:

Error: Incorrect word usage in § 5-545(a)(2) of the Family Law Article.

Occurred: Ch. 153, Acts of 2007.

5-1306.

The effectiveness of efforts to address the health, mental health, education, and well-being of a child committed to the Department shall be measured by:

(1) the percentage of children in out-of-home placements who received a comprehensive assessment in compliance with federal regulations for the early and [periodic,] **PERIODIC** screening, diagnosis, and treatment program within 60 days of entering out-of-home placement;

**DRAFTER'S NOTE:**

Error: Extraneous comma in § 5-1306(1) of the Family Law Article.

Occurred: Chs. 31 and 475, Acts of 2006.

10-113.

(h) The **STATE** Comptroller shall honor refund interception requests in the following order:

(1) a refund interception request to collect an unpaid State, county, or municipal tax;

(2) a refund interception request under this Part II of this subtitle for arrears of support payments;

(3) a refund interception request for converted funds under § 15-122.2 of the Health – General Article; and

(4) any other refund interception request.

**DRAFTER'S NOTE:**

Error: Omitted word in § 10-113(h) of the Family Law Article.

Occurred: Ch. 296, Acts of 1984.

10-119.

(d) [If] **IF**, after information about an obligor is supplied to the Motor Vehicle [Administration] **ADMINISTRATION**, the obligor's arrearage is paid in full, the obligor has demonstrated good faith by paying the ordered amount of support for 6 consecutive months, or the Administration finds that one of the grounds under [paragraph (1)(i) of this] subsection **(C)(1)(I) OF THIS SECTION** exists, the Administration shall notify the Motor Vehicle Administration to reinstate the obligor's license or privilege to drive.

**DRAFTER'S NOTE:**

Error: Incorrect punctuation and erroneous internal reference in § 10–119(d) of the Family Law Article.

Occurred: Ch. 491, Acts of 1995; Ch. 509, Acts of 2004.

### **Article – Health – General**

2–206.

(c) Except as expressly provided otherwise, the Board shall hear and determine any appeal from:

(1) A decision of the Secretary or any unit in the Department in a contested case that is subject to judicial review under [§ 10–215] § **10–222** of the State Government Article;

(2) A decision of the Secretary or any unit in the Department that is subject to judicial review under any provision of law other than §§ 10–125[, 10–128] and [10–215] **10–222** of the State Government Article; and

(3) An action of or inaction by any unit in the Department for which the Secretary, by rule or regulation, provides for review by the Board.

#### **DRAFTER’S NOTE:**

Error: Erroneous cross–reference in § 2–206(c)(1) and (2) of the Health – General Article.

Occurred: As a result of Ch. 5, § 4, Acts of 1986.

2–207.

(e) (2) Subject to [§ 10–212] § **10–222** of the State Government Article, any party aggrieved by a decision in a contested case for which an appeal is provided to the Board may appeal directly to the Board.

#### **DRAFTER’S NOTE:**

Error: Erroneous cross–reference in § 2–207(e)(2) of the Health – General Article.

Occurred: As a result of Ch. 5, § 4, Acts of 1986.

17–104.

(e) For purposes of workers' compensation law or any other employment benefit that would apply to an individual who is performing a service for a public health laboratory under a mutual aid agreement:

[(i)] (1) The individual is considered to have performed that service in the course of employment as a State employee and in the line of duty; and

[(ii)] (2) The workers' compensation law or employment benefit of the state that employs the individual shall be provided by that state when an individual is performing a service in another state.

DRAFTER'S NOTE:

Error: Stylistic errors in § 17–104(e) of the Health – General Article.

Occurred: Ch. 74, Acts of 2007. Correction by the publisher of the Annotated Code in the 2007 Supplement of the Health – General Article is ratified by this Act.

18–207.

(b) (2) A report or information assembled or obtained under this section:

(i) Is confidential and subject to Title 4, Subtitle 1 of this article; and

(ii) Is not a medical record under Title 4, Subtitle 3 of this article, but is subject to the confidentiality requirements of Title 4, Subtitle 1 of this article.

[(iii)] (3) This subsection does not apply to a disclosure by the Secretary to another governmental agency performing its lawful duties pursuant to State or federal law where the Secretary determines that the agency to [whom] **WHICH** the information is disclosed will maintain the confidentiality of the disclosure.

[(3)] (4) The report and any proceedings, records, or files relating to the reports required under this section are not discoverable and are not admissible in evidence in any civil action.

DRAFTER'S NOTE:

Error: Tabulation and grammatical errors in § 18–207(b)(2) of the Health – General Article.

Occurred: Chs. 212 and 213, Acts of 2007. Correction by the publisher of the Annotated Code in the 2007 Supplement of the Health – General Article is ratified by this Act. Grammatical error occurred in Ch. 79, Acts of 2001.

18–215.

(f) (1) A health care provider or any other person, including an officer or employee of a governmental unit, who knowingly and willfully requests or obtains information on HIV and AIDS developed under § 18–201.1, § 18–202.1, § 18–205, or § 18–207 of this subtitle under false pretenses or through [deception] **DECEPTION**, on conviction[,] is subject to:

(i) A fine not exceeding \$100,000, imprisonment for not more than 5 years, or both; and

(ii) If the offense is committed with intent to sell, transfer, or use individually identifiable health information for commercial advantage, personal gain, or malicious harm, a fine not exceeding \$250,000, imprisonment for not more than 10 years, or both.

**DRAFTER’S NOTE:**

Error: Extraneous comma in § 18–215(f)(1) of the Health – General Article.

Occurred: Chs. 212 and 213, Acts of 2007.

19–134.

(e) (3) (ii) On [on] **OR** before October 1, 2007, to the extent feasible, the system shall incorporate racial and ethnic variations.

**DRAFTER’S NOTE:**

Error: Incorrect word usage in § 19–134(e)(3)(ii) of the Health – General Article.

Occurred: Ch. 450, Acts of 2006.

### **Article – Health Occupations**

2–305.

(b) The Board may waive any of the qualifications required for a license to practice speech–language pathology or to assist in the practice of speech–language pathology under this title for an individual who:

(3) (i) Holds or has held a national certification in speech–language pathology or as an assistant of [speech language] **SPEECH–LANGUAGE** pathology from an organization if the organization is recognized

by the Board and the qualifications for certification meet the practice requirements established by the regulations adopted by the Board; or

**DRAFTER'S NOTE:**

Error: Omitted hyphen in § 2–305(b)(3)(i) of the Health Occupations Article.

Occurred: Ch. 391, Acts of 2007.

2–310.1.

(b) The Board may issue a limited license to practice hearing aid dispensing only to an individual who:

(1) Except for completing the requirements under § 2–302.1(c) **OF THIS SUBTITLE**, otherwise qualifies for a license;

**DRAFTER'S NOTE:**

Error: Stylistic error in § 2–310.1(b)(1) of the Health Occupations Article.

Occurred: Ch. 391, Acts of 2007. Correction by the publisher of the Annotated Code in the 2007 Supplement of the Health Occupations Article is ratified by this Act.

Title 7.  
Morticians and Funeral Directors.

7–101.

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

**DRAFTER'S NOTE:**

Error: Obsolete title designation immediately preceding § 7–101 of the Health Occupations Article.

Occurred: As a result of Chs. 185 and 186, Acts of 2007. Correction by the publisher of the Annotated Code in the 2007 Supplement of the Health Occupations Article is validated by this Act.

Subtitle 2. State Board of Morticians and Funeral Directors.

7–201.

There is a State Board of Morticians and Funeral Directors in the Department.

DRAFTER'S NOTE:

Error: Obsolete subtitle designation immediately preceding § 7–201 of the Health Occupations Article.

Occurred: As a result of Chs. 185 and 186, Acts of 2007. Correction by the publisher of the Annotated Code in the 2007 Supplement of the Health Occupations Article is validated by this Act.

7–205.

(a) In addition to the powers and duties set forth elsewhere in this title, the Board has the following powers and duties:

(9) On receipt of a written and signed complaint, including a referral from the Commissioner of Labor and Industry, **TO** conduct an unannounced inspection of the funeral establishment to determine compliance at that funeral establishment with the Centers for Disease Control's guidelines on universal precautions;

DRAFTER'S NOTE:

Error: Grammatical error in § 7–205(a)(9) of the Health Occupations Article.

Occurred: Ch. 154, Acts of 1992.

7–601.

This title may be cited as the “Maryland Morticians **AND FUNERAL DIRECTORS** Act”.

DRAFTER'S NOTE:

Error: Misnomer in § 7–601 of the Health Occupations Article.

Occurred: As a result of Chs. 185 and 186, Acts of 2007.

8–202.

(b) (1) (iii) The organizations developing and submitting the list of nominees for registered nurse members certified in an advanced practice nursing specialty in subparagraph (i) of this paragraph, shall only submit the names of nurses certified in one of the following specialties for each vacancy each term and shall rotate among the specialties with each nomination for a vacancy:

1. Nurse anesthetist;

2. Nurse practitioner;
3. Nurse midwife; **AND**
4. Nurse psychotherapist.

**DRAFTER'S NOTE:**

Error: Omitted conjunction in § 8–202(b)(1)(iii) of the Health Occupations Article.

Occurred: Ch. 544, Acts of 2007. Correction by the publisher of the Annotated Code in the 2007 Supplement of the Health Occupations Article is ratified by this Act.

15–206.

(b) (2) (ii) For fiscal 2008, if the Governor does not include in the State budget the funds specified under subparagraph (i) of this paragraph, the Comptroller shall distribute 14 percent of the fees received from the Board to the Office of Student Financial Assistance to be used as provided under [paragraph (i)] **SUBPARAGRAPH (I)** of this paragraph.

**DRAFTER'S NOTE:**

Error: Erroneous cross-reference in § 15–206(b)(2)(ii) of the Health Occupations Article.

Occurred: Ch. 539, Acts of 2007.

20–101.

[(h) “Subcabinet” means the Subcabinet for Children, Youth, and Families established under Article 49D, § 4.1 of the Code.]

**DRAFTER'S NOTE:**

Error: Obsolete definition in § 20–101(h) of the Health Occupations Article.

Occurred: As a result of Ch. 282, Acts of 2005.

**Article – Insurance**

14–115.



(d) (11) (iii) A decision by the board to convert to a [for profit] **FOR-PROFIT** entity under Title 6.5 of the State Government Article may be rejected by any three members of the board.

DRAFTER'S NOTE:

Error: Omitted hyphen in § 14–115(d)(11)(iii) of the Insurance Article.

Occurred: Chs. 356 and 357, Acts of 2003.

14–606.

A discount medical plan organization and a discount drug plan organization may not:

(1) use in their advertisements, marketing material, brochures, and discount cards the term “insurance” except:

(iii) as otherwise provided in this [subtitle.] **SUBTITLE**;

DRAFTER'S NOTE:

Error: Incorrect punctuation in § 14–606(1)(iii) of the Insurance Article.

Occurred: Ch. 629, Acts of 2007. Correction by the publisher of the Annotated Code in the 2007 Supplement of the Insurance Article is ratified by this Act.

14–609.

(a) Each discount medical plan organization and each discount drug **PLAN** organization shall provide to a plan member or to a plan member for the member's family a discount card that includes, at a minimum, the following data elements:

(1) a statement that the discount medical plan or discount drug plan is not insurance;

(2) (i) the name or identifying trademark of the discount medical plan organization or the discount drug plan organization; or

(ii) the name or identifying trademark of the provider networks that participate with the discount medical plan or discount drug plan; and

(3) the telephone number that the plan member may call for assistance.

DRAFTER'S NOTE:

Error: Omitted word in § 14–609(a) of the Insurance Article.

Occurred: Ch. 629, Acts of 2007. Correction by the publisher of the Annotated Code in the 2007 Supplement of the Insurance Article is ratified by this Act.

### **Article – Labor and Employment**

8–607.

(b) (1) Subject to paragraph (2) of this subsection, the taxable wage base is the first \$8,500 in wages that:

(iv) an employing unit or predecessor employer or combination of both pays to each employee for covered employment during a calendar year if the payrolls and benefit charges of the predecessor employing unit are transferred to the successor employing unit in accordance **WITH** § 8–613(d) or (e) of this subtitle.

#### **DRAFTER'S NOTE:**

Error: Omitted word in § 8–607(b)(1)(iv) of the Labor and Employment Article.

Occurred: Ch. 471, Acts of 2007. Correction by the publisher of the Annotated Code in the 2007 Supplement of the Labor and Employment Article is ratified by this Act.

9–234.

(r) An individual is a covered employee:

(1) [while on duty as a member of a volunteer company in Prince George's County that receives money as provided in § 650 of the Public Local Laws of Prince George's County;

(2)] while on duty as a member of the Laurel volunteer rescue squad in Prince George's County; or

[(3)] **(2)** [if not covered under item (1) or (2) of this subsection,] while a member of a volunteer company in Prince George's County.

#### **DRAFTER'S NOTE:**

Error: Obsolete reference in § 9–234(r) of the Labor and Employment Article.

Occurred: As a result of Ch. 8, Acts of 1991. Section 650 of the Code of the Public Local Laws of Prince George's County was transferred to § 11–304 of the Code

of Prince George's County, which was repealed by the County Council of Prince George's County in 1984 under Council Bill 59 (Chapter 51). The repeal was not reflected in the 1991 revision of the Labor and Employment Article. Section 9-234(r)(3) includes the class of individuals described under § 9-234(r)(1), rendering § 9-234(r)(1) obsolete. Correction suggested by the Office of the Attorney General, Counsel to the General Assembly.

### **Article – Natural Resources**

4-702.

(a) Except as provided in subsection (b) **OF THIS SECTION**, a person may not buy, sell, ship, transport, or otherwise deal in finfish or shellfish unless the person is licensed by the Department.

**DRAFTER'S NOTE:**

Error: Stylistic error in § 4-702(a) of the Natural Resources Article.

Occurred: Ch. 579, Acts of 1983.

10-301.1.

(c) (3) Any similar certificate, or hunting license, issued outside the State by a governmental agency, shall be accepted as complying with the requirements of paragraph (1) of [the] **THIS** subsection, if the privileges are reciprocal for Maryland residents.

**DRAFTER'S NOTE:**

Error: Stylistic error in § 10-301.1(c)(3) of the Natural Resources Article.

Occurred: Ch. 6, Acts of 1990.

### **Article – Real Property**

3-105.

(d) (3) When the debt secured by a mortgage or deed of trust is paid fully or satisfied, and the canceled check evidencing final payment or, if the canceled check is unavailable, a copy of the canceled check accompanied by a certificate from the institution on which the check was drawn stating that the copy is a true and genuine image of the original check is presented, it may be received by the clerk and indexed and recorded as any other instrument in the nature of a release. The canceled check or copy accompanied by the certificate has the same effect as a release of the property for

which the mortgage or deed of trust is the security, as if a release were executed by the mortgagee or named trustees, if:

(i) The party making satisfaction of the mortgage or deed of trust has:

1. Allowed at least a 60-day waiting period, from the date the mortgage or deed of trust is paid fully or is satisfied, for the party satisfied to provide a release suitable for recording;

2. Sent the party satisfied a copy of this section and a notice that, unless a release is provided within 30 days, the party making satisfaction will obtain a release by utilizing the provisions of this paragraph; and

3. Following the mailing of the notice required under [sub-subparagraph] **ITEM 2** of this [subparagraph] **ITEM**, allowed an additional waiting period of at least 30 days for the party satisfied to provide a release suitable for recording; and

**DRAFTER'S NOTE:**

Error: Stylistic error in § 3-105(d)(3)(i)3 of the Real Property Article.

Occurred: Ch. 656, Acts of 1987.

11-136.

(a) (1) An owner required to give notice under § 11-102.1 of this title shall offer in writing to each tenant entitled to receive that notice the right to purchase that portion of the property occupied by the tenant as his residence. The offer shall be at a price and on terms and conditions at least as favorable as the price, terms, and conditions offered for that portion of the property to any other person during the [180 day] **180-DAY** period following the giving of the notice required by § 11-102.1 of this title. Settlement cannot be required any earlier than 120 days after the offer is accepted by the tenant.

(e) If the offer terminates, the owner may not offer to sell that unit at a price or on terms and conditions more favorable to the offeree than the price, terms, and conditions offered to the tenant during the [180 day] **180-DAY** period following the giving of the notice required by § 11-102.1 of this title.

**DRAFTER'S NOTE:**

Error: Omitted hyphen in § 11-136(a)(1) and (e) of the Real Property Article.

Occurred: Ch. 836, Acts of 1982.

14–108.1.

(a) This section does not apply to:

(3) An action for nonpayment of ground rent under a ground lease on residential property that is or was used, intended to be used, or authorized to be used for four [of] **OR** fewer dwelling units.

DRAFTER’S NOTE:

Error: Incorrect word usage in § 14–108.1(a)(3) of the Real Property Article.

Occurred: Ch. 286, Acts of 2007. Correction by the publisher of the Annotated Code in the 2007 Supplement of the Real Property Article is ratified by this Act.

14–125.2.

(a) (3) “Nuisance” means:

(iii) A property to which police or other law enforcement agencies have responded to complaints or calls for service 4 or more times within any [30 day] **30-DAY** period and that:

- 1. Negatively impacts the well-being of other residents;
- and
- 2. A. Is injurious to public health, safety, or welfare;
- or
- B. Obstructs the reasonable use of property;

DRAFTER’S NOTE:

Error: Omitted hyphen in § 14–125.2(a)(3)(iii) of the Real Property Article.

Occurred: Ch. 336, Acts of 2007.

### **Article – State Finance and Procurement**

7–315.

(f) (2) The Fund shall be expended:

(iv) for energy extension service and [low income home energy] **LOW-INCOME HOME-ENERGY** programs provided under 42 U.S.C. §§ 7001 through 7011 and 8621 through 8629;

DRAFTER'S NOTE:

Error: Omitted hyphens in § 7-315(f)(2)(iv) of the State Finance and Procurement Article.

Occurred: Ch. 526, Acts of 1989.

18-102.

(a) (1) This title applies to an employee of an employer for the duration of a contract subject to this title if at least one-half of the employee's time during any [work week] **WORKWEEK** relates to a State contract for services or a subcontract for services under a State contract.

DRAFTER'S NOTE:

Error: Incorrect word usage in § 18-102(a)(1) of the State Finance and Procurement Article.

Occurred: Ch. 284, Acts of 2007.

18-103.

(c) If an employer commits in its bid or proposal to provide health insurance to an employee, either directly or through an employee representative, the employer may:

(2) reduce the wage **RATE** paid under subsection (a) of this section to any employee covered by the insurance by all or part of the hourly cost of the employer's share of the premium for each employee.

DRAFTER'S NOTE:

Error: Omitted word in § 18-103(c)(2) of the State Finance and Procurement Article.

Occurred: Ch. 284, Acts of 2007.

19-107.

(a) Commission staff shall be responsible for directing and conducting investigations of discrimination and retaliation complaints filed under this title in a manner consistent with Article [49B § 3, § 10, and § 11] **49B, §§ 3, 10, AND 11.**

(d) (2) A protective order issued under paragraph (1) of this subsection may include:

(ii) information disclosed in accordance with § 19–116 of this [subtitle] **TITLE.**

**DRAFTER’S NOTE:**

Error: Stylistic error in § 19–107(a) and (d)(2)(ii) of the State Finance and Procurement Article.

Occurred: Chs. 529 and 530, Acts of 2007; Ch. 283, Acts of 2006.

19–110.

(a) When an allegation is sustained by an administrative law judge under this title, the administrative law judge may take additional evidence on the appropriate remedy to be recommended, including evidence relating to factors set forth in § 19–108(e) of this [subtitle] **TITLE** and any other evidence deemed relevant by the administrative law judge.

**DRAFTER’S NOTE:**

Error: Stylistic error in § 19–110(a) of the State Finance and Procurement Article.

Occurred: Ch. 283, Acts of 2006.

**Article – State Government**

2–10A–03.

(b) (2) Of the 15 members:

(i) 1. 2 shall be members of the Senate appointed by the President of the Senate;

2. 2 shall be Delegates appointed by the Speaker **OF THE HOUSE OF DELEGATES**; and

**DRAFTER’S NOTE:**

Error: Stylistic error in § 2–10A–03(b)(2)(i)2 of the State Government Article.

Occurred: Ch. 55, Acts of 1991.

8–403.

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

(1) Acupuncture Board, State (§ 1A–201 of the Health Occupations Article: July 1, 2014);

[(2) Adolescent Pregnancy, Governor’s Council on (Article 49D, § 21 of the Code: July 1, 2003);]

[(3)] (2) Amusement Ride Safety, State Advisory Board (§ 3–303 of the Business Regulation Article: July 1, 2013);

[(4)] (3) Apprenticeship and Training Council (§ 11–403 of the Labor and Employment Article: July 1, 2013);

[(5)] (4) Architects, State Board of (§ 3–201 of the Business Occupations and Professions Article: July 1, 2012);

[(6)] (5) Athletic Commission, State (§ 4–201 of the Business Regulation Article: July 1, 2010);

[(7)] (6) Audiologists, Hearing Aid Dispensers, and Speech–Language Pathologists, State Board of Examiners for (§ 2–201 of the Health Occupations Article: July 1, 2015);

[(8)] (7) Banking Board (§ 2–201 of the Financial Institutions Article: July 1, 2011);

[(9)] (8) Barbers, State Board of (§ 4–201 of the Business Occupations and Professions Article: July 1, 2010);

[(10)] (9) Boiler Rules, Board of (§ 12–904 of the Public Safety Article: July 1, 2013);

[(11)] (10) Cemetery Oversight, Office of (§ 5–201 of the Business Regulation Article: July 1, 2012);



[(12) Children, Youth, and Families, Office for (Article 49D, § 1 of the Code: July 1, 2004);]

[(13)] **(11)** Chiropractic Examiners, State Board of (§ 3–201 of the Health Occupations Article: July 1, 2011);

[(14)] **(12)** Collection Agency Licensing Board, State (§ 7–201 of the Business Regulation Article: July 1, 2011);

[(15)] **(13)** Cosmetologists, State Board of (§ 5–201 of the Business Occupations and Professions Article: July 1, 2010);

[(16)] **(14)** Counselors and Therapists, State Board of Professional (§ 17–201 of the Health Occupations Article: July 1, 2008);

[(17)] **(15)** Dental Examiners, State Board of (§ 4–201 of the Health Occupations Article: July 1, 2010);

[(18)] **(16)** Dietetic Practice, State Board of (§ 5–201 of the Health Occupations Article: July 1, 2014);

[(19)] **(17)** Electricians, State Board of Master (§ 6–201 of the Business Occupations and Professions Article: July 1, 2012);

[(20)] **(18)** Electrology Practice Committee (§ 8–6B–05 of the Health Occupations Article: July 1, 2012);

[(21)] **(19)** Elevator Safety Review Board (§§ 12–819 through 12–841 of the Public Safety Article: July 1, 2013);

[(22) Engineers, State Board of Stationary (§ 6.5–201 of the Business Occupations and Professions Article: July 1, 2013);]

[(23)] **(20)** Engineers, State Board for Professional (§ 14–201 of the Business Occupations and Professions Article: July 1, 2012);

**(21) ENGINEERS, STATE BOARD OF STATIONARY (§ 6.5–201 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE: JULY 1, 2013);**

[(24)] **(22)** Environmental Sanitarians, State Board of (§ 11–201 of the Environment Article: July 1, 2012);

[(25)] **(23)** Financial Regulation, Office of the Commissioner of (§ 2–101 of the Financial Institutions Article: July 1, 2011);

[(26)] **(24)** Foresters, State Board of (§ 7–201 of the Business Occupations and Professions Article: July 1, 2014);

[(27)] **(25)** Health Care Commission, Maryland (§ 19–103 of the Health – General Article: July 1, 2017);

[(28)] **(26)** Health Services Cost Review Commission, State (§ 19–202 of the Health – General Article: July 1, 2017);

[(29)] **(27)** Heating, Ventilation, Air–Conditioning, and Refrigeration Contractors, State Board of (§ 9A–201 of the Business Regulation Article: July 1, 2012);

[(30)] **(28)** Home Improvement Commission, Maryland (§ 8–201 of the Business Regulation Article: July 1, 2011);

[(31)] **(29)** Horse Industry Board, Maryland (§ 2–701 of the Agriculture Article: July 1, 2015);

[(32)] Individuals with Disabilities, Office for (§ 9–1102 of the State Government Article: July 1, 2014);]

[(33)] **(30)** Insurance Administration (§§ 2–101 and 2–103 of the Insurance Article: July 1, 2012);

[(34)] **(31)** Interior Designers, State Board of Certified (§ 8–201 of the Business Occupations and Professions Article: July 1, 2013);

[(35)] **(32)** Labor and Industry, Division of (Title 2 of the Labor and Employment Article: July 1, 2013);

[(36)] **(33)** Land Surveyors, State Board for Professional (§ 15–201 of the Business Occupations and Professions Article: July 1, 2012);

[(37)] **(34)** Landscape Architects, State Board of Examiners of (§ 9–201 of the Business Occupations and Professions Article: July 1, 2012);

[(38)] **(35)** Law Examiners, State Board of (§ 10–201 of the Business Occupations and Professions Article: July 1, 2009);

[(39)] **(36)** Maryland–Bred Race Fund Advisory Committee (§ 11–531 of the Business Regulation Article: July 1, 2010);

[(40)] **(37)** Morticians **AND FUNERAL DIRECTORS**, State Board of (§ 7–201 of the Health Occupations Article: July 1, 2007);

[(41)] **(38)** Nursing, State Board of (§ 8–201 of the Health Occupations Article: July 1, 2012);

[(42)] **(39)** Nursing Home Administrators, State Board of Examiners of (§ 9–201 of the Health Occupations Article: July 1, 2012);

[(43)] **(40)** Occupational Safety and Health Advisory Board (§ 5–302 of the Labor and Employment Article: July 1, 2013);

[(44)] **(41)** Occupational Therapy Practice, State Board of (§ 10–201 of the Health Occupations Article: July 1, 2014);

[(45)] **(42)** Optometry, State Board of Examiners in (§ 11–201 of the Health Occupations Article: July 1, 2012);

[(46)] **(43)** Pharmacy, State Board of (§ 12–201 of the Health Occupations Article: July 1, 2012);

[(47)] **(44)** Physical Therapy Examiners, State Board of (§ 13–201 of the Health Occupations Article: July 1, 2011);

[(48)] **(45)** Physician Assistant Advisory Committee (§ 15–201 of the Health Occupations Article: July 1, 2012);

[(49)] **(46)** Physicians, State Board of (§ 14–201 of the Health Occupations Article: July 1, 2012);

[(50)] **(47)** Pilots, State Board of (§ 11–201 of the Business Occupations and Professions Article: July 1, 2012);

[(51)] **(48)** Plumbing, State Board of (§ 12–201 of the Business Occupations and Professions Article: July 1, 2012);

[(52)] **(49)** Podiatric Medical Examiners, State Board of (§ 16–201 of the Health Occupations Article: July 1, 2011);

[(53)] **(50)** Polysomnography Professional Standards Committee (§ 14–5C–05 of the Health Occupations Article: July 1, 2012);

[(54)] **(51)** Prevailing Wage Rates, Advisory Council on (§ 17–203 of the State Finance and Procurement Article: July 1, 2013);

[(55)] **(52)** Psychologists, State Board of Examiners of (§ 18–201 of the Health Occupations Article: July 1, 2012);

[(56)] **(53)** Public Accountancy, State Board of (§ 2–201 of the Business Occupations and Professions Article: July 1, 2014);

[(57)] **(54)** Racing Commission, State (§ 11–201 of the Business Regulation Article: July 1, 2010);

[(58)] **(55)** Radiation Oncology/Therapy Technologists, Medical Radiation Technologists, and Nuclear Medicine Technologists Advisory Committee (§ 14–5B–05 of the Health Occupations Article: July 1, 2012);

[(59)] **(56)** Real Estate Appraisers and Home Inspectors, State Commission of (§ 16–201 of the Business Occupations and Professions Article: July 1, 2012);

[(60)] **(57)** Real Estate Commission, State (§ 17–201 of the Business Occupations and Professions Article: July 1, 2011);

[(61)] **(58)** Residential Child Care Program Administrators, State Board for Certification of (§ 20–202 of the Health Occupations Article: July 1, 2013);

[(62)] **(59)** Respiratory Care Professional Standards Committee, State (§ 14–5A–05 of the Health Occupations Article: July 1, 2012);

[(63)] **(60)** Security Systems Technicians, Licensing and Regulation of (§ 18–201 of the Business Occupations and Professions Article: July 1, 2015);

[(64)] **(61)** Social Work Examiners, State Board of (§ 19–201 of the Health Occupations Article: July 1, 2013);

[(65)] **(62)** Standardbred Race Fund Advisory Committee, Maryland (§ 11–625 of the Business Regulation Article: July 1, 2010);

[(66)] **(63)** Tobacco Authority (§ 7–201 of the Agriculture Article: July 1, 2010);

[(67)] **(64)** Veterinary Medical Examiners, State Board of (§ 2–302 of the Agriculture Article: July 1, 2010);

[(68)] **(65)** Waterworks and Waste Systems Operators, State Board of (§ 12–201 of the Environment Article: July 1, 2010); and

[(69)] **(66)** Well Drillers, State Board of (§ 13–201 of the Environment Article: July 1, 2010).

DRAFTER'S NOTE:

Error: Obsolete cross-references; misplaced language in § 8-403(b) of the State Government Article.

Occurred: The reference to the Governor's Council on Adolescent Pregnancy in former subsection (b)(2), and the reference to the Office for Children, Youth, and Families, in former subsection (b)(12), were rendered obsolete as a result of Ch. 282, Acts of 2002, which repealed the Council and the Office. The reference to the State Board of Stationary Engineers in former subsection (b)(22) was codified out of proper alphabetical order as a result of Ch. 613, Acts of 2005. The reference to the Office for Individuals with Disabilities in former subsection (b)(32) was rendered obsolete as a result of Ch. 425, Acts of 2004, which repealed the Office. The reference to the State Board of Morticians in former subsection (b)(40) was rendered incorrect as a result of Chs. 185 and 186, Acts of 2007, which renamed the Board.

9-802.

(h) The Subcabinet shall:

(4) collaborate with and review the recommendations of the Maryland Military Installation Council established under Article [83A] **83A**, § 5-1710.1 of the Code;

DRAFTER'S NOTE:

Error: Omitted comma in § 9-802(h)(4) of the State Government Article.

Occurred: Ch. 6, Acts of 2007.

15-704.

(c) (1) Except as provided in paragraph (2) of this subsection, a report required under this section also shall include the name of each official, employee, or member of the immediate family of an official or employee who has [benefitted] **BENEFITED** from one or more gifts with a cumulative value of \$75 during the reporting period from the regulated lobbyist, regardless of whether the gift:

- (i) is attributable to more than one entity; or
- (ii) was given in connection with lobbying activity.

DRAFTER'S NOTE:

Error: Misspelling in § 15-704(c)(1) of the State Government Article.

Occurred: Ch. 631, Acts of 2001.

15–705.

(a) In addition to any other report required under this subtitle, a regulated lobbyist shall file a separate report disclosing the name of any State official of the Executive Branch or member of the immediate family of a State official of the Executive Branch who has [benefitted] **BENEFITED** during the reporting period from gifts of meals or beverages from the regulated lobbyist, whether or not in connection with lobbying activities, allowed under § 15–505(c)(2)(i)1 of this title.

DRAFTER'S NOTE:

Error: Misspelling in § 15–705(a) of the State Government Article.

Occurred: Ch. 631, Acts of 2001.

### **Article – State Personnel and Pensions**

34–101.

(i) Beginning in fiscal year 2009, the Board of Trustees may transfer an amount from the Postretirement Health Benefits Trust Fund to the [the] Department of Budget and Management, subject to appropriation in the State budget, for the sole purpose of assisting in the payment of the State's postretirement health insurance subsidy.

DRAFTER'S NOTE:

Error: Extraneous article in § 34–101(i) of the State Personnel and Pensions Article.

Occurred: Ch. 355, Acts of 2007. Correction by the publisher of the Annotated Code in the 2007 Supplement to the 2004 Replacement Volume is ratified by this Act.

37–203.1.

(b) (3) (i) 1. This subparagraph applies only to an individual who transferred service credit from a noncontributory system to the State Alternate Contributory Employees' Pension System, the State Alternate Contributory Teachers' Pension System, the State Contributory Employees' Pension [System] **SYSTEM**, or the State Contributory Teachers' Pension System and earned any portion of the transferred service credit in a noncontributory system after June 30, 1998.

DRAFTER'S NOTE:

Error: Omitted comma in § 37–203.1(b)(3)(i)1 of the State Personnel and Pensions Article.

Occurred: Ch. 337, Acts of 2007.

### **Article – Tax – General**

2–1103.

After making the distributions required under §§ 2–1101 and 2–1102 of this subtitle, the Comptroller shall distribute:

(1) the remaining motor fuel tax revenue from aviation fuel to the Transportation Trust Fund; and

(2) all remaining motor fuel tax revenue, equal to the average percentage by which the motor fuel tax rate exceeds 18.5 cents per gallon, to the [gasoline] **GASOLINE** and [motor vehicle revenue account] **MOTOR VEHICLE REVENUE ACCOUNT** in the Transportation Trust Fund.

**DRAFTER’S NOTE:**

Error: Capitalization errors in § 2–1103(2) of the Tax – General Article.

Occurred: Ch. 3, Acts of the First Special Session of 1992.

10–207.

(c–1) (1) (i) In this [subsection,] **SUBSECTION** the following words have the meanings indicated.

**DRAFTER’S NOTE:**

Error: Extraneous comma in § 10–207(c–1)(1)(i) of the Tax – General Article.

Occurred: Ch. 545, Acts of 1989.

10–211.

(b) (1) If an individual other than one described in [subsection (c) of this section] **PARAGRAPH (2) OF THIS SUBSECTION** has federal adjusted gross income for the taxable year greater than \$100,000, the amount allowed for each exemption under subsection (a)(1) or (2) of this section is limited to:

(i) \$2,400 if federal adjusted gross income for the taxable year does not exceed \$125,000;

(ii) \$1,800 if federal adjusted gross income for the taxable year is greater than \$125,000 but not greater than \$150,000;

(iii) \$1,200 if federal adjusted gross income for the taxable year is greater than \$150,000 but not greater than \$200,000; and

(iv) \$600 if federal adjusted gross income for the taxable year is greater than \$200,000.

**DRAFTER'S NOTE:**

Error: Incorrect cross-reference in § 10-211(b)(1) of the Tax – General Article.

Occurred: Ch. 3, § 1, Acts of the Special Session of 2007.

10-704.3.

(g) If a credit is claimed under this section, the claimant must make the addition required in § 10-205 or § 10-306 of this [article] **TITLE**.

**DRAFTER'S NOTE:**

Error: Stylistic error in § 10-704.3(g) of the Tax – General Article.

Occurred: Ch. 370, Acts of 2007.

13-901.

(f) (1) A claim for refund of motor fuel tax may be filed by a claimant who pays the tax on:

(ii) motor fuel, as defined in § 9-101 of this article, that:

3. except for any operation of a motor vehicle on a public highway in the State, is used for a commercial purpose, including:

A. the operation of a vessel used only for commercial purposes;

B. commercial cleaning; **OR**

C. commercial dyeing[; or

D. is lost as a result of fire, collision, or other casualty, except loss in ordinary transportation and storage];



4. is used in any of the following vehicles that have pumping or other equipment mechanically or hydraulically driven by the engine that propels the vehicle:

A. a concrete mixing motor vehicle or concrete pump truck;

B. a motor fuel delivery vehicle;

C. a solid waste compacting vehicle;

D. a well-drilling vehicle; or

E. farm equipment registered as a vehicle for highway use that is designed or adapted solely and used exclusively for bulk farm spreading of agriculture liming materials, chemicals, or fertilizer; [or]

5. is used by a system of transportation based in the State, in a vehicle that is used to provide transportation to elderly or low income individuals, or individuals with disabilities, if the system is operated by a nonprofit organization for purposes relating to the charge for which the nonprofit organization was established and the nonprofit organization:

A. is exempt for federal income tax purposes under § 501(c) of the Internal Revenue Code;

B. is funded to provide transportation to elderly or low income individuals, or individuals with disabilities;

C. receives part of its operating funding from the Maryland Department of Transportation or the Maryland Department of Health and Mental Hygiene;

D. has stated in its charter or bylaws that operating transportation services for elderly or low income individuals, or individuals with disabilities, is one of the purposes for which it was established; and

E. is actively operating a system of transportation for elderly or low income individuals, or individuals with [disabilities.] **DISABILITIES; OR**

**6. IS LOST AS A RESULT OF FIRE, COLLISION, OR OTHER CASUALTY, EXCEPT FOR LOSS IN ORDINARY TRANSPORTATION AND STORAGE.**

DRAFTER'S NOTE:

Error: Misplaced language in § 13–901 of the Tax – General Article.

Occurred: Ch. 2, Acts of 1988.

13–1001.

(f) A person who is required to file a public service company franchise tax return and who willfully fails to file the return as required under Title 8 of this article is guilty of a misdemeanor [and] **AND**, on [conviction] **CONVICTION**, is subject to a fine not exceeding \$5,000 or imprisonment not exceeding 5 years or both.

DRAFTER'S NOTE:

Error: Omitted commas in § 13–1001(f) of the Tax – General Article.

Occurred: Ch. 475, Acts of 2007.

### **Article – Tax – Property**

1–101.

(x) “Principal office of a domestic corporation” means:

(3) if there is no office or place that meets the requirements of item (1) or [item] (2) of this subsection, the principal office named in the corporation charter or reported to the Department.

DRAFTER'S NOTE:

Error: Stylistic error in § 1–101(x)(3) of the Tax – Property Article.

Occurred: Ch. 5, § 1, Acts of 1989.

7–511.

(b) (1) If [the] **GARRETT** County reduces or eliminates the percentage of assessment of taxable personal property under subsection (a) of this section, [the] **GARRETT** County shall submit a copy of the law to the Department.

DRAFTER'S NOTE:

Error: Stylistic error in § 7–511(b)(1) of the Tax – Property Article.

Occurred: Ch. 587, Acts of 1997.

9–246.

- (a) (1) In this section the following words have the meanings indicated.
- (2) “Acquired dwelling” means a dwelling:
- (i) that was owned by a qualified displaced homeowner;
  - (ii) that by negotiation or condemnation was acquired from the qualified displaced homeowner for public use by the State or a political subdivision or instrumentality of the State, where the acquiring agency had the power to acquire the dwelling for public use by condemnation; and
  - (iii) for which the qualified displaced homeowner was eligible for a credit under § 9–105 of this [subtitle] **TITLE** for the taxable year in which the dwelling was acquired for public use.
- (3) “Acquisition year” means the taxable year in which an acquired dwelling was acquired for public use by the State or a political subdivision or instrumentality of the State.
- (4) “Dwelling” has the meaning stated in § 9–105 of this [subtitle] **TITLE**.
- (5) “Qualified displaced homeowner” means a property owner who:
- (i) qualified for a credit under § 9–105 of this [subtitle] **TITLE** for an acquired dwelling for the acquisition year; and
  - (ii) did not receive compensation for increased property taxes resulting from the loss of the credit under § 9–105 of this [subtitle] **TITLE**.
- (6) “Replacement dwelling” means a dwelling that is purchased by a qualified displaced homeowner by the end of the taxable year following the acquisition year.
- (7) “Taxable assessment” has the meaning stated in § 9–105 of this [subtitle] **TITLE**.

**DRAFTER’S NOTE:**

Error: Erroneous internal reference in § 9–246(a)(2)(iii), (4), (5)(i) and (ii), and (7) of the Tax – Property Article. Correction by the publisher of the Annotated Code in the 2007 Replacement Volume is ratified by this Act.

Occurred: Chs. 558 and 559, Acts of 2007.

14–1009.

(a) A person who willfully or with the intent to evade payment of property tax or **TO** prevent the collection of property tax [or] fails to answer an interrogatory under this article is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$5,000 or imprisonment not exceeding 18 months or both.

DRAFTER'S NOTE:

Error: Omitted word and extraneous language in § 14–1009(a) of the Tax – Property Article.

Occurred: Ch. 8, § 2, Acts of 1985.

### Article – Transportation

4–312.

(a) (1) Notwithstanding the provisions of § 20 of Section 3 and § 16 of Section 4 of Chapter 608 of the Acts of the General Assembly of 1976, tolls may be continued to be charged on the John F. Kennedy [Expressway] **MEMORIAL HIGHWAY** and any project constructed under the provisions of § 3 (bridge, tunnel, and motorway revenue bonds) of Chapter 608 of the Acts of the General Assembly of 1976.

DRAFTER'S NOTE:

Error: Misnomer in § 4–312(a)(1) of the Transportation Article.

Occurred: Ch. 941, Acts of 1978.

7–1003.

The Administration shall:

(3) Ensure that the grants awarded under item (2) of this section are distributed among Program applicants to provide door-to-door transportation in the following areas:

(ii) The [Washington] **WASHINGTON**, D.C. Metropolitan Area;

DRAFTER'S NOTE:

Error: Omitted comma in § 7–1003(3)(ii) of the Transportation Article.

Occurred: Ch. 112, Acts of 2004.

8–402.

(b) All revenues collected from the following, after deductions provided by law, shall be credited to the Gasoline and Motor Vehicle Revenue Account:

(4) The revenue disbursed to this [account] **ACCOUNT** under § 2–614 of the Tax – General Article; and

DRAFTER’S NOTE:

Error: Capitalization error in § 8–402(b)(4) of the Transportation Article.

Occurred: Ch. 532, Acts of 1980.

21–809.

(a) (4) “Recorded image” means an image recorded by a speed monitoring system:

(ii) Showing:

3. On at least one image or portion of tape, [clearly identifying] **A CLEAR IDENTIFICATION OF** the registration plate number of the motor vehicle.

DRAFTER’S NOTE:

Error: Grammatical error in § 21–809(a)(4)(ii)3 of the Transportation Article.

Occurred: Ch. 15, Acts of 2006.

23–202.

(b) (1) The emissions **CONTROL** program shall provide for a biennial exhaust emissions test and emissions equipment and misfueling inspection for all vehicles of the 1977 model year and each model year thereafter.

DRAFTER’S NOTE:

Error: Misnomer in § 23–202(b)(1) of the Transportation Article. Correction uses the defined term “emissions control program”.

Occurred: Ch. 108, Acts of 1988.

SECTION 2. AND BE IT FURTHER ENACTED, That, notwithstanding Section 4 of Chapter 345 of the Acts of the General Assembly **OF 2006** or any other provision of law, for fiscal year 2008 only, funds remaining from the Senior Prescription Drug Program that have accrued to the account of the Senior Prescription Drug Assistance Program of the Maryland Health Insurance Plan Fund may be transferred and appropriated in the budget bill or by budget amendment to the Department of Health and Mental Hygiene for the purpose of providing a grant, not to exceed \$425,000, to the Maryland Medbank Program under § 15–124.2 of the Health – General Article.

**DRAFTER'S NOTE:**

Error: Incomplete reference in Section 2 of Ch. 636, Acts of 2007

Occurred: Ch. 636, Acts of 2007

**Article 11 – Frederick County**

2–13–13.

(a) For the purpose of providing funds for the design, construction, establishment, purchase, or condemnation of water, sewerage, drainage, and solid waste systems in Frederick County pursuant to this chapter, the county is hereby authorized and empowered to borrow money, from time to time, and to evidence such borrowing by the issuance of bonds, which shall constitute a pledge of the full faith and credit and unlimited taxing power of the county. The authority hereby conferred is subject to the limitation that the county shall issue no amount of bonds pursuant to this section if, by the issuance thereof, the total unpaid bonded indebtedness under this section, less the amount of any sinking funds or reserves for payment of bonds previously issued, shall exceed [fifteen (15)] **SIX (6)** per centum of the total assessed valuation of all property in Frederick County, subject to unlimited county taxation during the fiscal year of the county most recently concluded.

**DRAFTER'S NOTE:**

Error: Obsolete percentage stated in § 2–13–13(a) of the Public Local Laws of Frederick County.

Occurred: As a result of Ch. 80, Acts of 2000, which altered the percentage of assessment of real property to which property tax rates apply. Correction recommended by the Office of the County Attorney of Frederick County.

SECTION 2. AND BE IT FURTHER ENACTED, That the publishers of the Annotated Code of Maryland, subject to the approval of the Department of Legislative Services, shall make any changes in the text of the Annotated Code necessary to effectuate any termination provision that was enacted by the General Assembly and

has taken effect or will take effect prior to October 1, 2008. Any enactment of the 2008 Session of the General Assembly that negates or extends the effect of a previously enacted termination provision shall prevail over the provisions of this section.

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

SECTION 4. AND BE IT FURTHER ENACTED, That the provisions of this Act are intended solely to correct technical errors in the law and there is no intent to revive or otherwise affect law that is the subject of other acts, whether those acts were signed by the Governor prior to or after the signing of this Act.

SECTION 5. AND BE IT FURTHER ENACTED, That any reference in the Annotated Code of Maryland rendered incorrect or obsolete by an Act of the General Assembly of 2008 shall be corrected by the publishers of the Annotated Code, in consultation with and subject to the approval of the Department of Legislative Services, with no further action required by the General Assembly. The publishers shall adequately describe any such correction in an editor's note following the section affected.

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

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

**Approved by the Governor, April 8, 2008.**