

# SENATE BILL 470

P5

EMERGENCY BILL

0lr0384

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

Introduced and read first time: February 1, 2010

Assigned to: Rules

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Committee Report: Favorable

Senate action: Adopted

Read second time: February 19, 2010

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

12 BY repealing and reenacting, with amendments,  
13 Article 2B – Alcoholic Beverages  
14 Section 8–216(a)(2)(iv)4., 9–204.1(d)(3), 10–103(b)(13)(x)3.C., and 10–301(i)(1)(i)  
15 Annotated Code of Maryland  
16 (2005 Replacement Volume and 2009 Supplement)

17 BY repealing and reenacting, with amendments,  
18 Article 24 – Political Subdivisions – Miscellaneous Provisions  
19 Section 2–101(b)(1) and 9–1301(h)(3)(ii)  
20 Annotated Code of Maryland  
21 (2005 Replacement Volume and 2009 Supplement)

22 BY repealing and reenacting, with amendments,

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**EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



- 1 Article 28 – Maryland–National Capital Park and Planning Commission  
2 Section 2–111(b) and (d) and 5–114.1(d)(6)  
3 Annotated Code of Maryland  
4 (2003 Replacement Volume and 2009 Supplement)
- 5 BY repealing and reenacting, with amendments,  
6 Article 66B – Land Use  
7 Section 1.03(b)(4) and 14.05(f)(3)(ii)  
8 Annotated Code of Maryland  
9 (2003 Replacement Volume and 2009 Supplement)
- 10 BY repealing and reenacting, without amendments,  
11 Article 66B – Land Use  
12 Section 14.05(f)(3)(i)  
13 Annotated Code of Maryland  
14 (2003 Replacement Volume and 2009 Supplement)
- 15 BY repealing and reenacting, with amendments,  
16 Article – Agriculture  
17 Section 2–513(b)(1)(i) and 10–1601(c)(3)  
18 Annotated Code of Maryland  
19 (2007 Replacement Volume and 2009 Supplement)
- 20 BY repealing and reenacting, with amendments,  
21 Article – Business Occupations and Professions  
22 Section 2–401(a)(3) and 2–4A–01(a)  
23 Annotated Code of Maryland  
24 (2004 Replacement Volume and 2009 Supplement)
- 25 BY repealing and reenacting, with amendments,  
26 Article – Business Regulation  
27 Section 2–106.1(c)(2), (d), (e), and (f), 8–707(b)(1), and 16–501(f)  
28 Annotated Code of Maryland  
29 (2004 Replacement Volume and 2009 Supplement)
- 30 BY repealing and reenacting, with amendments,  
31 Article – Corporations and Associations  
32 Section 4A–1002(b)(5)  
33 Annotated Code of Maryland  
34 (2007 Replacement Volume and 2009 Supplement)
- 35 BY adding to  
36 Article – Correctional Services  
37 New subtitle designation “Subtitle 5. Task Force on Prisoner Reentry” to  
38 immediately precede Section 2–501  
39 Annotated Code of Maryland  
40 (2008 Replacement Volume and 2009 Supplement)

- 1 BY repealing and reenacting, with amendments,  
2 Article – Correctional Services  
3 Section 2–501(b)(9)(vii)  
4 Annotated Code of Maryland  
5 (2008 Replacement Volume and 2009 Supplement)
- 6 BY repealing and reenacting, with amendments,  
7 Article – Courts and Judicial Proceedings  
8 Section 1–708(b)(4), 3–8A–27(b)(4)(i), and 4–301(a)  
9 Annotated Code of Maryland  
10 (2006 Replacement Volume and 2009 Supplement)
- 11 BY repealing and reenacting, with amendments,  
12 Article – Criminal Law  
13 Section 8–301(k) and 8–801(a)  
14 Annotated Code of Maryland  
15 (2002 Volume and 2009 Supplement)
- 16 BY repealing and reenacting, with amendments,  
17 Article – Criminal Procedure  
18 Section 5–202(e)(2)  
19 Annotated Code of Maryland  
20 (2008 Replacement Volume and 2009 Supplement)
- 21 BY repealing and reenacting, with amendments,  
22 Article – Economic Development  
23 Section 10–445(b), 10–449(b)(2)(ii), 10–801(a), and 12–209(b)(2)  
24 Annotated Code of Maryland  
25 (2008 Volume and 2009 Supplement)
- 26 BY repealing and reenacting, with amendments,  
27 Article – Education  
28 Section 3–1001(c)(6), (d)(4), and (e)  
29 Annotated Code of Maryland  
30 (2008 Replacement Volume and 2009 Supplement)  
31 (As enacted by Chapters 348 and 349 of the Acts of the General Assembly of  
32 2008)
- 33 BY repealing and reenacting, with amendments,  
34 Article – Education  
35 Section 5–206(f)(2)(iii) and (3), 5–401(b)(2)(ii), 7–426.1(e), 8–401(a)(4) and (5),  
36 11–206.1(a), 11–305(4), 18–601(d)(3)(ii), and 18–705(a)(5)(i)  
37 Annotated Code of Maryland  
38 (2008 Replacement Volume and 2009 Supplement)
- 39 BY repealing and reenacting, with amendments,

- 1 Article – Election Law  
2 Section 2–205(b)(2)(ii), 2–206, 3–101(c)(3) and (4), 3–501(2) and (4), 4–203(f)(2),  
3 9–406(b), 13–209(c)(1), 13–304(a)(1), 13–321, 13–322(2), and 13–328(a)  
4 and (c)  
5 Annotated Code of Maryland  
6 (2003 Volume and 2009 Supplement)
- 7 BY repealing  
8 Article – Election Law  
9 Section 13–317  
10 Annotated Code of Maryland  
11 (2003 Volume and 2009 Supplement)
- 12 BY repealing and reenacting, with amendments,  
13 Article – Environment  
14 Section 1–701(g)(3)(i), 3–105(a)(3)(ii), 9–658(c)(1), 9–1703(d), and 15–823(c)  
15 Annotated Code of Maryland  
16 (2007 Replacement Volume and 2009 Supplement)
- 17 BY repealing and reenacting, with amendments,  
18 Article – Estates and Trusts  
19 Section 13–207(a)(9)  
20 Annotated Code of Maryland  
21 (2001 Replacement Volume and 2009 Supplement)
- 22 BY repealing and reenacting, with amendments,  
23 Article – Family Law  
24 Section 5–580.3(a)(2), 10–301(v)(2)(ii)2., and 10–304(b)  
25 Annotated Code of Maryland  
26 (2006 Replacement Volume and 2009 Supplement)
- 27 BY repealing and reenacting, with amendments,  
28 Article – Financial Institutions  
29 Section 2–113(d)(4), 4–803(e)(2)(ii), 5–203(b)(2), 11–601(c), and 11–603(c)(5)(i)  
30 Annotated Code of Maryland  
31 (2003 Replacement Volume and 2009 Supplement)
- 32 BY repealing and reenacting, with amendments,  
33 Article – Health – General  
34 Section 2–302(b)(2), 4–224, 4–301(k)(5) and (6), 5–310(d)(2)(v), 5–609(d),  
35 5–704(a)(2), 7–403(b)(2), 7–602(c), 7–604(a), 7–606(a) and (b)(2),  
36 7–1006(c)(1)(vi), 8–502(a)(1), 10–208(a)(1), 10–622(b)(1)(i), 10–623(a),  
37 10–624(a)(1)(ii), 10–701(g)(3), 10–708(j), 10–812(c), 10–905, 13–1101(l),  
38 13–1604, 13–2702(a)(2)(ii), 14–401(k), 15–103(e), 15–133(a), 15–201(c)(2),  
39 15–205(a), 15–501(a), 18–213(j)(2) and (k), 18–213.1(h)(2) and (i),  
40 18–308(e), 18–331(c), 18–338.1(h)(1) and (l), 18–338.3(a)(8) and (b)(1),  
41 18–404(e), 18–906(b)(6), 19–109(a)(3) and (b)(4), 19–214(d)(3)(i)3.,

1 19-303(a)(3)(ii), 19-307.1(9), 19-345(a)(4), 19-345.1(c) and (e)(2),  
2 19-346(d)(3) and (n)(1), 19-3A-02(b)(4), 19-705.3(b)(1), 19-1407(a)(2),  
3 (5), and (6), 19-1411(b), 21-2A-01(c)(8), 21-301(h)(2), 21-302,  
4 21-304(a)(2)(ii), 21-316(a), 21-318(a), 21-323.1(c), 21-1111(b),  
5 21-1204(a), 21-1214(b), 24-803(6), 24-806(b)(6), 24-903(6),  
6 24-1203(b)(2)(iii), and 24-1406(g)(2)(ii)1.

7 Annotated Code of Maryland  
8 (2009 Replacement Volume)

9 BY repealing and reenacting, with amendments,  
10 Article – Health Occupations  
11 Section 1-207, 3-5A-11(a)(16), 4-205(a)(6), 4-315(a)(28) and (b)(16), 4-403(d),  
12 4-501(b)(7) and (8), 7-205(a)(9), 7-316(a)(28), 8-205(a)(14), 8-316(a)(15),  
13 8-6A-10(a)(23), 8-6B-06(10), 8-6B-18(a)(24), 9-302(d)(1)(i), 10-101(l),  
14 12-6B-11(a), 14-205(a)(1)(iv), 14-404(a)(31), 14-504(g)(2), 15-202(a)(4),  
15 15-205(b)(3)(iii), 15-314(7), 16-205(b)(4), and 16-311(a)(25)  
16 Annotated Code of Maryland  
17 (2009 Replacement Volume)

18 BY repealing and reenacting, with amendments,  
19 Article – Health Occupations  
20 Section 12-101(i)(2)  
21 Annotated Code of Maryland  
22 (2009 Replacement Volume)  
23 (As enacted by Chapters 352 and 353 of the Acts of the General Assembly of  
24 2007)

25 BY repealing and reenacting, with amendments,  
26 Article – Human Services  
27 Section 1-202(c)(2)  
28 Annotated Code of Maryland  
29 (2007 Volume and 2009 Supplement)

30 BY repealing and reenacting, with amendments,  
31 Article – Insurance  
32 Section 8-605.1(c) and 9-229.1(a)(7)(i)  
33 Annotated Code of Maryland  
34 (2003 Replacement Volume and 2009 Supplement)

35 BY repealing and reenacting, with amendments,  
36 Article – Insurance  
37 Section 10-705(a)(4) and 10-708  
38 Annotated Code of Maryland  
39 (2003 Replacement Volume and 2009 Supplement)  
40 (As enacted by Chapters 316 and 317 of the Acts of the General Assembly of  
41 2009)

- 1 BY repealing and reenacting, with amendments,  
2 Article – Insurance  
3 Section 15–112.2(a)(4) and (5), 15–403.2(c)(2) and (d), 15–409(d)(3),  
4 15–817(c)(2)(i), 19–807(c)(3)(iii), 27–401(b)(2)(i), 27–402(8), and  
5 27–605(b)(6)  
6 Annotated Code of Maryland  
7 (2006 Replacement Volume and 2009 Supplement)
- 8 BY repealing and reenacting, with amendments,  
9 Article – Labor and Employment  
10 Section 5–205(n) and (o)(1) and (2)  
11 Annotated Code of Maryland  
12 (2008 Replacement Volume and 2009 Supplement)
- 13 BY repealing and reenacting, with amendments,  
14 Article – Natural Resources  
15 Section 3–104(m)(1), 4–204(a)(3), 4–710(e), 5–102(a)(1), 5–304(2)(iii), and  
16 5–307(g)(3)  
17 Annotated Code of Maryland  
18 (2005 Replacement Volume and 2009 Supplement)
- 19 BY repealing and reenacting, with amendments,  
20 Article – Natural Resources  
21 Section 8–1808(d)(4)(ii)1.  
22 Annotated Code of Maryland  
23 (2007 Replacement Volume and 2009 Supplement)
- 24 BY repealing and reenacting, with amendments,  
25 Article – Public Safety  
26 Section 1–202(b)(2)  
27 Annotated Code of Maryland  
28 (2003 Volume and 2009 Supplement)
- 29 BY repealing and reenacting, with amendments,  
30 Article – Real Property  
31 Section 7–401(d)(4) and (5), 8–110.1(a)(8), 11–102.2(c), 11–108.1, 11–111.1(i),  
32 11–114(g)(2)(iv), 11–126(a)(2)(ii), 11–127(d)(1)(ii), and 14–120(i)  
33 Annotated Code of Maryland  
34 (2003 Replacement Volume and 2009 Supplement)
- 35 BY repealing and reenacting, with amendments,  
36 Article – State Finance and Procurement  
37 Section 11–203(b)(1)(ii)  
38 Annotated Code of Maryland  
39 (2009 Replacement Volume)  
40 (As enacted by Chapter 3 of the Acts of the General Assembly of 1994)

- 1 BY repealing and reenacting, with amendments,  
2 Article – State Finance and Procurement  
3 Section 13–108(a)(1) and (b)(1), 14–401(d)(2)(ii), and 14–305(a)(1)  
4 Annotated Code of Maryland  
5 (2009 Replacement Volume)
- 6 BY repealing and reenacting, with amendments,  
7 Article – State Government  
8 Section 6–301(e), (f), and (g), 6–304(a) and (b), 6–306(a)(1) and (b)(1),  
9 6–307(c)(1), 9–1A–01(m), 9–1A–03(b), 9–1A–07(c)(7)(v)2., 9–1A–24(b)(2),  
10 9–603(a), 9–604, 9–1008(b), 9–2701(h)(3), 9.5–308(b), 10–222.1(c),  
11 10–1102(f)(1), 10–1103(c), 20–401, and 20–1013(d)  
12 Annotated Code of Maryland  
13 (2009 Replacement Volume)
- 14 BY repealing and reenacting, with amendments,  
15 Article – State Government  
16 Section 9.5–101(a)  
17 Annotated Code of Maryland  
18 (2009 Replacement Volume)  
19 (As enacted by Chapter 521 of the Acts of the General Assembly of 2008)
- 20 BY repealing and reenacting, with amendments,  
21 Article – State Personnel and Pensions  
22 Section 2–707(a)(1), 3–202(f)(1), 3–2A–02(f)(1), 21–306(e)(3)(iii), 22–406(n)(7),  
23 23–204(d)(2), 23–407(n)(7), and 38–103(d)(2)(ii)2.  
24 Annotated Code of Maryland  
25 (2009 Replacement Volume and 2009 Supplement)
- 26 BY repealing and reenacting, with amendments,  
27 Article – Tax – General  
28 Section 10–727(a)  
29 Annotated Code of Maryland  
30 (2004 Replacement Volume and 2009 Supplement)
- 31 BY repealing and reenacting, with amendments,  
32 Article – Tax – Property  
33 Section 8–401(f) and 9–105(a)  
34 Annotated Code of Maryland  
35 (2007 Replacement Volume and 2009 Supplement)
- 36 BY repealing and reenacting, with amendments,  
37 Article – Transportation  
38 Section 2–103.1(f)  
39 Annotated Code of Maryland  
40 (2008 Replacement Volume and 2009 Supplement)

- 1 BY repealing and reenacting, with amendments,  
2 Article – Transportation  
3 Section 13–209(a), 13–402(c)(10), (11), and (12), 15–311.2(a)(1), 16–208(a)(1),  
4 16–301(c) through (g), 16–402.1(a)(2), 16–812(a)(2)(iii), 18–105,  
5 21–902(c)(3), 21–1207.1(c), 21–1207.2(a), and 24–301(b)(2)  
6 Annotated Code of Maryland  
7 (2009 Replacement Volume and 2009 Supplement)
- 8 BY repealing  
9 Chapter 3 of the Acts of the General Assembly of the 2007 Special Session  
10 Section 9
- 11 BY repealing and reenacting, with amendments,  
12 Chapter 171 of the Acts of the General Assembly of 2009  
13 Section 6
- 14 BY repealing and reenacting, with amendments,  
15 Chapter 172 of the Acts of the General Assembly of 2009  
16 Section 6
- 17 BY repealing and reenacting, with amendments,  
18 Chapter 180 of the Acts of the General Assembly of 2009  
19 Section 5
- 20 BY repealing and reenacting, with amendments,  
21 Chapter 181 of the Acts of the General Assembly of 2009  
22 Section 5
- 23 BY repealing and reenacting, with amendments,  
24 Chapter 186 of the Acts of the General Assembly of 2009  
25 Section 5
- 26 BY repealing and reenacting, with amendments,  
27 Chapter 487 of the Acts of the General Assembly of 2009  
28 Section 47
- 29 BY repealing and reenacting, with amendments,  
30 Chapter 500 of the Acts of the General Assembly of 2009  
31 Section 3 through 9

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

34 **Article 2B – Alcoholic Beverages**

35 8–216.



1           (a)   (2)   (iv)   4.   In addition to the restrictions in subparagraphs 2  
2 and 3 of this subparagraph, the holder of a special B–K beer and wine license or a  
3 special B–K beer, wine and liquor license in the commercial areas specified in [items I,  
4 J, K, and L of this subparagraph] **SUBSUBPARAGRAPH 1I, J, K, AND L OF THIS**  
5 **SUBPARAGRAPH** may not serve alcoholic beverages after 11 p.m.

6           DRAFTER’S NOTE:

7           Error: Stylistic error in Art. 2B, § 8–216(a)(2)(iv)4.

8           Occurred: Ch. 432, Acts of 2007.

9           9–204.1.

10           (d)   (3)   Notwithstanding paragraph (2) of this subsection, new Class B  
11 beer, wine and liquor restaurant licenses may not be issued:

12                   (i)   In the 46th alcoholic beverages district, the area covered by  
13 the Key Highway East Industrial Area Urban Renewal Plan, as adopted by the Mayor  
14 and City Council of Baltimore City in Ordinance 986 on June 29, 1987;

15                   (ii)   In the 46th alcoholic beverages district, the area covered by  
16 the Key Highway Urban Renewal Plan, as adopted by the Mayor and City Council of  
17 Baltimore City in Ordinance 622 on March 12, 1986; [and]

18                   (iii)   In the 46th alcoholic beverages district, ward 23, precinct 1,  
19 ward 1, precinct 4 or 5, and ward 24, precinct 5; and

20                   (iv)   In the area known as Pen Lucy, ward 9, precincts 1 and 2.

21           DRAFTER’S NOTE:

22           Error: Extraneous conjunction in Art. 2B, § 9–204.1(d)(3)(ii).

23           Occurred: Ch. 425, Acts of 2008.

24           10–103.

25           (b)   (13)   (x)   3.   The Board of License Commissioners may:

26                   C.   Forward the fingerprints through the Central  
27 Repository for transmittal to the Federal Bureau of Investigation for a national  
28 criminal **HISTORY** records check; and

29           DRAFTER’S NOTE:

30           Error: Omitted word in Art. 2B, § 10–103(b)(13)(x)3C.

1 Occurred: Ch. 198, Acts of 1998.

2 10–301.

3 (i) (1) In Charles County, the Board of License Commissioners may not  
4 renew any license as authorized in subsection (a) of this section unless there is  
5 presented to the Board a certification from the:

6 (i) Office of the County Supervisor of Assessments showing  
7 [that] the value of the merchandise, fixtures, and stock-in-trade for the business for  
8 which the application is made for the calendar year next preceding the year the license  
9 is to be issued;

10 DRAFTER’S NOTE:

11 Error: Extraneous word in Art. 2B, § 10–301(i)(1)(i).

12 Occurred: Ch. 248, Acts of 1996.

13 **Article 24 – Political Subdivisions – Miscellaneous Provisions**

14 2–101.

15 (b) (1) Except as provided in paragraph (2) of this subsection, if a political  
16 subdivision is authorized to incur debt to be redeemed from a fee, charge, or the  
17 proceeds of a levy, then within 120 days after the end of the fiscal year of the political  
18 subdivision, its financial officer shall submit to the [Department and] State Treasurer  
19 AND, subject to § 2–1246 of the State Government Article, **TO THE DEPARTMENT** a  
20 comprehensive report on the financial condition of the political subdivision as of the  
21 end of that fiscal year.

22 DRAFTER’S NOTE:

23 Error: Misplaced language in light of the fact that reports to the Department [of  
24 Legislative Services] are subject to § 2–1246 of the State Government Article, while  
25 reports to the State Treasurer are not.

26 Occurred: Ch. 693, Acts of 2009.

27 9–1301.

28 (h) (3) (ii) The ordinance or resolution authorizing the bonds required  
29 under this subsection, any ordinance, resolution, or executive order passed or adopted  
30 in furtherance of the required ordinance or resolution, the bonds, the designation of a  
31 special taxing district, or the levy of a special ad valorem tax or special tax shall be

1 subject to the request of the landowners as specified under subsection [(c)(1)](D)(1) of  
2 this section.

3 DRAFTER'S NOTE:

4 Error: Erroneous cross-reference in Article 24, § 9-1301(h)(3)(ii).

5 Occurred: Ch. 548, Acts of 1995.

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

7 2-111.

8 (b) The Commission may establish a program of group health, life,  
9 [hospitalization] **HOSPITALIZATION**, and disability insurance by the purchase of  
10 insurance coverage from insurance companies authorized to do business in the State of  
11 Maryland.

12 (d) The Commission may cooperate with and enter into agreements with  
13 Montgomery County or Prince George's County, or both, or, subject to the approval of  
14 the county government of any county affected by the agreement, with other units of  
15 government, for the purpose of obtaining and providing insurance coverage in the most  
16 economical manner for any type of insurance protection including, but not limited to,  
17 public liability, group health, life, [hospitalization] **HOSPITALIZATION**, and disability,  
18 real and personal property, and workers' compensation. Provided, however, that  
19 nothing herein shall authorize the Commission to establish a self-insurance program  
20 for group health, [life] **LIFE**, and hospitalization insurance.

21 DRAFTER'S NOTE:

22 Error: Omitted commas in Art. 28, § 2-111(b) and (d).

23 Occurred: Ch. 778, Acts of 1978.

24 5-114.1.

25 (d) (6) An employee organization that has not filed an annual report or  
26 whose constitution and bylaws do not conform to the requirements of [subsection  
27 (d)(5)] **PARAGRAPH (5)** of this [section] **SUBSECTION** may not be or remain certified  
28 for the purpose of negotiating with the MNCPPC.

29 DRAFTER'S NOTE:

30 Error: Stylistic error in Art. 28, § 5-114.1(d)(6).

31 Occurred: Ch. 776, Acts of 1986.

1 **Article 66B – Land Use**

2 1.03.

3 (b) The following sections of this article apply to a charter county:

4 (4) § [1.03] **1.04** (Charter county – Comprehensive plans);

5 DRAFTER'S NOTE:

6 Error: Erroneous cross-reference in Article 66B, § 1.03(b)(4).

7 Occurred: As a result of Chs. 180 and 181, Acts of 2009.

8 14.05.

9 (f) (3) (i) The County Commissioners, by ordinance, may fix and  
10 impose a fair share school construction excise tax levied against the owner of real  
11 property located in the county that is improved by new residential development.12 (ii) 1. For fiscal year 2003, the fair share school construction  
13 excise tax may not exceed the following amounts:

14 A. For a single-family detached home, \$9,700;

15 B. For a town house, \$9,200; and

16 C. For a multifamily housing unit, \$7,000.

17 2. For fiscal year 2004 and succeeding fiscal years, the  
18 limits set forth in [subparagraph (i) of this paragraph] **SUBSUBPARAGRAPH 1 OF**  
19 **THIS SUBPARAGRAPH** shall be altered by the same percentage as the change in the  
20 producer price index for the materials and components for construction, as reported by  
21 the United States Department of Labor, for the fiscal year preceding the year for  
22 which the amount is being calculated.

23 DRAFTER'S NOTE:

24 Error: Erroneous internal reference in Art. 66B, § 14.05(f)(3)(ii)2.

25 Occurred: Chs. 476 and 586, Acts of 2002.

26 **Article – Agriculture**

27 2–513.

1 (b) (1) A landowner whose land is subject to an easement may not use the  
2 land for any commercial, industrial, or residential purpose except:

3 (i) As determined by the Foundation, for [farm] FARM- and  
4 [forest] FOREST-related uses and home occupations; or

5 DRAFTER'S NOTE:

6 Error: Omitted hyphens in § 2-513(b)(1)(i) of the Agriculture Article.

7 Occurred: Ch. 258, Acts of 2003.

8 10-1601.

9 (c) The Program is established for the purpose of:

10 (3) Developing and regularly updating a database of farmers  
11 interested in selling their farm products to Maryland schools, including the types and  
12 amounts of farm products the farmers want to sell and the time periods [that] IN  
13 WHICH the farmers want to sell;

14 DRAFTER'S NOTE:

15 Error: Grammatical error in § 10-1601(c)(3) of the Agriculture Article.

16 Occurred: Chs. 371 and 372, Acts of 2008.

## 17 Article – Business Occupations and Professions

18 2-401.

19 (a) To operate a business through which certified public accountancy is  
20 practiced, a firm shall hold a permit issued by the Board if the firm:

21 (3) performs attest services described in § 2-101(c)(1), [(3)] (3), or (4)  
22 of this title for a client with a home office in this State.

23 DRAFTER'S NOTE:

24 Error: Omitted comma in § 2-401(a)(3) of the Business Occupations and  
25 Professions Article.

26 Occurred: Ch. 536, Acts of 2008.

27 2-4A-01.

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

3 **DRAFTER'S NOTE:**

4 Error: Erroneous internal reference in § 2-4A-01(a) of the Business  
5 Occupations and Professions Article.

6 Occurred: Ch. 88, Acts of 2005.

7 **Article – Business Regulation**

8 2-106.1.

9 (c) (2) The Comptroller shall distribute the fees to the [fund] **FUND**.

10 (d) The [fund] **FUND** shall be used to cover the actual documented direct and  
11 indirect costs of fulfilling the statutory and regulatory duties of each occupational and  
12 professional licensing board described in subsection (a) of this section.

13 (e) The Secretary or a designee of the Secretary shall administer the [fund]  
14 **FUND**.

15 (f) The Legislative Auditor shall audit the accounts and transactions of the  
16 [fund] **FUND** as provided in § 2-1220 of the State Government Article.

17 **DRAFTER'S NOTE:**

18 Error: Capitalization error in § 2-106.1(c)(2), (d), (e), and (f) of the Business  
19 Regulation Article.

20 Occurred: Ch. 227, Acts of 2003.

21 8-707.

22 (b) (1) To qualify for a license, an applicant shall meet the requirements  
23 of this [section] **SUBTITLE**.

24 **DRAFTER'S NOTE:**

25 Error: Erroneous internal reference in § 8-707(b)(1) of the Business Regulation  
26 Article.

27 Occurred: Ch. 537, Acts of 2008.

28 16-501.

1 (f) “Licensed wholesaler” means a wholesaler who is licensed under Title 16,  
2 Subtitle [2,] 2 of this article to act as a wholesaler and any person who is an  
3 authorized agent of the licensed wholesaler for the stamping and distribution of  
4 cigarettes.

5 DRAFTER’S NOTE:

6 Error: Extraneous comma in § 16–501(f) of the Business Regulation Article.

7 Occurred: Ch. 455, Acts of 2003.

8 **Article – Corporations and Associations**

9 4A–1002.

10 (b) In order to register, a foreign limited liability company shall submit to  
11 the Department an application for registration as a foreign limited liability company  
12 executed by an authorized person and setting forth:

13 (5) A statement that the Department is appointed as the resident  
14 agent of the foreign limited liability company if no resident agent has been appointed  
15 under [paragraph] ITEM (4) of this subsection or, if appointed, the resident agent’s  
16 authority has been revoked or if the agent cannot be found or served with the exercise  
17 of reasonable diligence;

18 DRAFTER’S NOTE:

19 Error: Stylistic error in § 4A–1002(b)(5) of the Corporations and Associations  
20 Article.

21 Occurred: Ch. 536, Acts of 1992.

22 **Article – Correctional Services**

23 **SUBTITLE 5. TASK FORCE ON PRISONER REENTRY.**

24 2–501.

25 (b) The Task Force consists of the following members:

26 (9) the following members, who shall serve ex officio:

27 (vii) the Commissioner of Correction, or the Commissioner’s  
28 designee; [and]

29 DRAFTER’S NOTE:

1 Error: Omitted subtitle designation immediately preceding § 2–501 and  
2 extraneous conjunction in § 2–501(b)(9)(vii) of the Correctional Services Article.

3 Occurred: Ch. 625, Acts of 2009.

#### 4 Article – Courts and Judicial Proceedings

5 1–708.

6 (b) (4) The term of a member is 6 years, commencing July 1, 1980, and  
7 until the member’s successor is appointed. However, of the members first appointed to  
8 the Commission, the Governor shall designate[,] one of the members nominated by the  
9 President of the Senate to serve for 3 years and one for 6 years; one of the members  
10 nominated by the Speaker to serve for 4 years and one for 5 years; the member  
11 nominated by the Maryland State Bar Association, Inc., to serve for 3 years; and one of  
12 the members at large to serve for 2 years, and one for 6 years. A member is eligible for  
13 reappointment.

14 DRAFTER’S NOTE:

15 Error: Extraneous comma in § 1–708(b)(4) of the Courts and Judicial  
16 Proceedings Article.

17 Occurred: Ch. 717, Acts of 1980.

18 3–8A–27.

19 (b) (4) (i) The Department of Juvenile Services may provide access to  
20 and the confidential use of a treatment plan of a child described under Title 10,  
21 Subtitle 2 of the Criminal Procedure Article by an agency in the District of Columbia  
22 or a state agency in Virginia, if the agency:

23 1. Performs the same functions in the jurisdiction of the  
24 agency as described in § 9–216(a) of the Human Services Article; [and]

25 2. Has a reciprocal agreement with the State that  
26 provides that the specific information to be shared by the State is the same type of  
27 information that will be shared by the agency; and

28 3. Has custody of the child.

29 DRAFTER’S NOTE:

30 Error: Extraneous conjunction in § 3–8A–27(b)(4)(i)1 of the Courts and Judicial  
31 Proceedings Article.

32 Occurred: Ch. 486, Acts of 2009.



1 4–301.

2 (a) Except as provided in §§ 3–803[,] AND 3–8A–03[,] OF THIS ARTICLE and  
3 4–302 of this [article] SUBTITLE, the District Court has exclusive original jurisdiction  
4 in a criminal case in which a person at least 16 years old or a corporation is charged  
5 with violation of the vehicle laws, or the State Boat Act, or regulations adopted  
6 pursuant to the vehicle laws or State Boat Act.

7 DRAFTER’S NOTE:

8 Error: Erroneous internal reference in § 4–301(a) of the Courts and Judicial  
9 Proceedings Article.

10 Occurred: Ch. 415, Acts of 2001.

11 **Article – Criminal Law**

12 8–301.

13 (k) Notwithstanding any other law, the Department of State Police may  
14 initiate investigations and enforce this section throughout the State without regard to  
15 any limitation otherwise applicable to [that department’s] **THE DEPARTMENT’S**  
16 activities in a municipal corporation or other political subdivision.

17 DRAFTER’S NOTE:

18 Error: Stylistic and capitalization errors in § 8–301(k) of the Criminal Law  
19 Article.

20 Occurred: Ch. 509, Acts of 2002.

21 8–801.

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

23 (2) “Deception” has the meaning stated in § 7–101 of this article.

24 (3) “Deprive” has the meaning stated in § 7–101 of this article.

25 (4) “Obtain” has the meaning stated in § 7–101 of this article.

26 (5) “Property” has the meaning stated in § 7–101 of this article.

27 (6) [“Value” has the meaning stated in § 7–103 of this article.

1           (7)] (i) “Undue influence” means domination and influence  
2 amounting to force and coercion exercised by another person to such an extent that a  
3 vulnerable adult or an individual at least 68 years old was prevented from exercising  
4 free judgment and choice.

5                           (ii) “Undue influence” does not include the normal influence  
6 that one member of a family has over another member of the family.

7                   **(7) “VALUE” HAS THE MEANING STATED IN § 7–103 OF THIS**  
8 **ARTICLE.**

9           (8) “Vulnerable adult” has the meaning stated in § 3–604 of this  
10 article.

11           **DRAFTER’S NOTE:**

12           Error: Stylistic error (failure to codify definitions in alphabetical order) in §  
13 8–801(a) of the Criminal Law Article.

14           Occurred: Chs. 479 and 480, Acts of 2002.

15                                   **Article – Criminal Procedure**

16 5–202.

17           (e) (2) A judge may allow the pretrial release of a defendant described in  
18 paragraph (1) of this subsection on:

19                           (i) suitable bail;

20                           (ii) any other conditions that will reasonably ensure that the  
21 defendant will not flee or pose a danger to another person or the community; or

22                           (iii) both bail and other conditions described under  
23 [subparagraph (ii)] **ITEM (II)** of this paragraph.

24           **DRAFTER’S NOTE:**

25           Error: Stylistic error in § 5–202(e)(2)(iii) of the Criminal Procedure Article.

26           Occurred: Ch. 10, Acts of 2001.

27                                   **Article – Economic Development**

28 10–445.

1 (b) “CENTR Maryland Program” or “Program” means the Coordinating  
2 Emerging Nanobiotechnology Research IN **MARYLAND** Program established under §  
3 10–447 of this subtitle.

4 DRAFTER’S NOTE:

5 Error: Misnomer in § 10–445(b) of the Economic Development Article.

6 Occurred: Chs. 445 and 446, Acts of 2008.

7 10–449.

8 (b) Within the CENTR Maryland Program, the Corporation may award  
9 operating grants from the Fund to institutions of higher education that shall include:

10 (2) collaborative grants to support research teams from institutions of  
11 higher education working with private sector entities on collaborative research  
12 projects that:

13 (ii) require a matching sum from **THE** private sector entity  
14 equivalent to the grant amount; and

15 DRAFTER’S NOTE:

16 Error: Omitted article in § 10–449(b)(2)(ii) of the Economic Development Article.

17 Occurred: Chs. 445 and 446, Acts of 2008.

18 10–801.

19 (a) In this subtitle the following words [and terms] have the meanings  
20 indicated.

21 DRAFTER’S NOTE:

22 Error: Stylistic error in § 10–801(a) of the Economic Development Article.

23 Occurred: Ch. 137, Acts of 2008.

24 12–209.

25 (b) (2) The agreement shall:

26 (i) **[Be] BE** in writing;

1 (ii) **[Be] BE** executed by the political subdivision making the  
 2 pledge, the Maryland Economic Development Corporation, and the other persons that  
 3 the governing body of the political subdivision determines; and

4 (iii) **[Run] RUN** to the benefit of and be enforceable on behalf of  
 5 the holders of the MEDCO obligations secured by the agreement.

6 DRAFTER'S NOTE:

7 Error: Capitalization error in § 12-209(b)(2) of the Economic Development  
 8 Article.

9 Occurred: Ch. 182, Acts of 2009.

10 **Article – Education**

11 3-1001.

12 (c) School board district II consists of:

13 (6) That part of election district 16, precinct 1 that is **[within]**  
 14 **OUTSIDE** the municipal boundary of the City of Hyattsville as that boundary existed  
 15 on November 1, 2006;

16 (d) School board district III consists of:

17 (4) That part of election district 16, precinct 1 that is **[outside]**  
 18 **WITHIN** the municipal boundary of the City of Hyattsville **AND THAT PART THAT IS**  
 19 **GENERALLY SOUTH OF THE MUNICIPAL BOUNDARY OF HYATTSVILLE AND**  
 20 **NORTH OF THE MUNICIPAL BOUNDARY OF COTTAGE CITY** as that boundary  
 21 existed on November 1, 2006.

22 (e) School board district IV consists of:

23 (1) Election district 2, precincts 1 through **[4] 4, [and] 6 through [10]**  
 24 **10, AND 99;**

25 (2) Election district 13, precincts 1 through 3, 8, 14, and 17;

26 (3) Election district 14, precinct 2;

27 (4) Election district 16, precinct 99;

28 (5) Election district 18, precincts 5 and 12;

29 (6) **ELECTION DISTRICT 20, PRECINCTS 4, 7, 8, 9, AND 11;**

1           **(7)** That part of election district 2, precinct 5 that is outside the  
2 municipal boundary of the Town of Edmonston as that boundary existed on September  
3 1, 2002;

4           **[(7)] (8)** That part of election district 19, precinct 4 that is outside  
5 the municipal boundary of the Town of Riverdale Park as that boundary existed on  
6 September 1, 2002; and

7           **[(8)] (9)** That part of election district 20, precinct 2 that is outside  
8 the municipal boundary of the City of New Carrollton as that boundary existed on  
9 January 30, 2006.

10           DRAFTER'S NOTE:

11           Error: Omitted and erroneous language in § 3–1001(c)(6), (d)(4), and (e) of the  
12 Education Article.

13           Occurred: Chs. 348 and 349, Acts of 2008.

14           5–206.

15           (f)   (2)   The funding level for a county is:

16                   (iii) Except as provided in paragraph (3) of this subsection, in  
17 fiscal year 2013 and in each fiscal year thereafter, the funding level for the county for  
18 the prior fiscal year increased by the product of the funding level for the county for the  
19 prior fiscal year and the percentage change in the Consumer Price Index — [all urban  
20 consumers — all items,] **(ALL URBAN CONSUMERS — ALL ITEMS)**, as published by  
21 the Bureau of Labor Statistics of the United States Department of Labor, for the  
22 second prior fiscal year.

23           (3)   If the funding level calculated under paragraph **[(2)(ii)] (2)(III)** of  
24 this subsection is less than the funding level for the prior fiscal year, the funding level  
25 for the county shall be the funding level for the prior fiscal year.

26           DRAFTER'S NOTE:

27           Error: Capitalization error and stylistic error in § 5–206(f)(2)(iii) and (3),  
28 respectively, of the Education Article.

29           Occurred: Ch. 252, Acts of 2006; as a result of Ch. 487, Acts of 2009.

30           5–401.

31           (b)   (2)   (ii) Each county board shall submit an update to the plan  
32 required under [paragraph (2)(i) of this subsection] **SUBPARAGRAPH (I) OF THIS**

1 PARAGRAPH for review and approval by the State Superintendent of Schools on or  
2 before:

3 1. October 15, 2008; and

4 2. October 15, 2009.

5 DRAFTER'S NOTE:

6 Error: Stylistic error in § 5–401(b)(2)(ii) of the Education Article.

7 Occurred: Ch. 652, Acts of 2007.

8 7–426.1.

9 (e) If a child has authority to self-administer medication in accordance with  
10 subsection [(e)] **(B)(3)** of this section, a local county board may require the parent or  
11 guardian of the child to sign a statement acknowledging that the school or its  
12 employee incurs no liability as a result of injury arising from self-administration by  
13 the child.

14 DRAFTER'S NOTE:

15 Error: Erroneous internal reference in § 7–426.1(e) of the Education Article.

16 Occurred: Ch. 652, Acts of 2009. Correction suggested by the Attorney General  
17 in the Bill Review Letter for H.B. 26 of 2009 (footnote 25), dated May 1, 2009.

18 8–401.

19 (a) (4) ["Special education" means specially designed instruction, at no  
20 cost to parents, to meet the unique needs of a child with a disability, including:

21 (i) Instruction in the classroom, in the home, in hospitals and  
22 institutions, and in other settings; and

23 (ii) Instruction in physical education.

24 (5)] (i) "Related services" means transportation and such  
25 developmental, corrective, and other supportive services as may be required to assist a  
26 child with a disability to benefit from special education.

27 (ii) "Related services" includes the early identification and  
28 assessment of disabling conditions in children.

29 (iii) "Related services" does not include a surgically implanted  
30 medical device or the replacement of the device.

1           **(5) “SPECIAL EDUCATION” MEANS SPECIALLY DESIGNED**  
2 **INSTRUCTION, AT NO COST TO PARENTS, TO MEET THE UNIQUE NEEDS OF A**  
3 **CHILD WITH A DISABILITY, INCLUDING:**

4                   **(I) INSTRUCTION IN THE CLASSROOM, IN THE HOME, IN**  
5 **HOSPITALS AND INSTITUTIONS, AND IN OTHER SETTINGS; AND**

6                   **(II) INSTRUCTION IN PHYSICAL EDUCATION.**

7           DRAFTER’S NOTE:

8           Error: Stylistic error (failure to codify definitions in alphabetical order) in §  
9 8–401(a)(4) and (5) of the Education Article.

10           Occurred: Ch. 726, Acts of 1998.

11 11–206.1.

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

13                   **[(1)] (2)**   “Public institution of higher education” means:

14                           (i)   A public senior higher education institution; and

15                           (ii)   A community college.

16                   **[(2)] (3)**   “Nonpublic institution of higher education” means a  
17 regionally accredited institution of higher education eligible for aid under § 17–103 of  
18 this article.

19           DRAFTER’S NOTE:

20           Error: Stylistic error in § 11–206.1(a) of the Education Article.

21           Occurred: Ch. 311, Acts of 2004.

22 11–305.

23           Performance accountability plans developed under this subtitle shall:

24                   (4)   In the case of [senior] public **SENIOR** higher education  
25 institutions, designate a set of peer institutions to which the institution’s performance  
26 will be compared; and

27           DRAFTER’S NOTE:

1 Error: Misnomer in § 11–305(4) of the Education Article.

2 Occurred: Ch. 246, Acts of 1988.

3 18–601.

4 (d) A person may apply to an eligible postsecondary institution for a  
5 scholarship under this section if the person:

6 (3) (ii) Was a prisoner of war **OR MISSING IN ACTION, IF THAT**  
7 **OCCURRED** on or after January 1, 1960, as a result of the Vietnam conflict and was a  
8 resident of this State at the time the person was declared to be a prisoner of war or  
9 missing in action;

10 DRAFTER'S NOTE:

11 Error: Omitted language in § 18–601(d)(3)(ii) of the Education Article.

12 Occurred: Ch. 221, Acts of 1990. Correction suggested by the Office of the  
13 Attorney General, Counsel to the General Assembly.

14 18–705.

15 (a) (5) “Eligible program” means a program approved by the Office and  
16 offered by an eligible institution that provides studies leading to:

17 (i) A child development associate credential from the child  
18 development associate consortium; **[or]**

19 DRAFTER'S NOTE:

20 Error: Extraneous conjunction in § 18–705(a)(5)(i) of the Education Article.

21 Occurred: Ch. 462, Acts of 1991.

## 22 Article – Election Law

23 2–205.

24 (b) (2) (ii) In Baltimore County, the counsel may not be compensated  
25 less than \$2,000 **ANNUALLY**.

26 DRAFTER'S NOTE:

27 Error: Omitted word in § 2–205(b)(2)(ii) of the Election Law Article.



1 Occurred: Ch. 291, Acts of 2002.

2 2–206.

3 Subject to the requirements of this article and the policies and guidance of the  
4 local board, the election director may:

5 (1) appoint the employees of the local board;

6 (2) train judges of election;

7 (3) give notice of elections;

8 (4) upon the request of an elderly or disabled voter whose polling place  
9 is not structurally barrier free, provide an alternate polling place to the voter;

10 (5) issue voter acknowledgment notices and voter notification cards;

11 (6) receive certificates of candidacy;

12 (7) verify [nominating] petitions;

13 (8) [receive and maintain campaign finance reports;

14 (9)] in consultation with the local board, conduct the canvass following  
15 an election; and

16 [(10)] (9) subject to § 9–306 of this article, process and reject absentee  
17 ballot applications.

18 DRAFTER’S NOTE:

19 Error: Erroneous language in § 2–206(7) and obsolete language in § 2–206(8) of  
20 the Election Law Article.

21 Occurred: As a result of Ch. 291, Acts of 2002, which required the State Board of  
22 Elections, by regulation, to establish the process to be followed by election authorities  
23 for verifying and counting signatures on all petitions, not just “nominating” petitions;  
24 as a result of Ch. 510, Acts of 2006, which eliminated non–continuing campaign  
25 finance entities and, thus, the local filing of campaign finance reports.

26 3–101.

27 (c) The State Administrator shall:

28 (3) instruct the local boards on:

1 (i) processing voter registration applications and name and  
2 address changes;

3 (ii) entering voter registration information into the statewide  
4 voter registration list; and

5 (iii) removing from the statewide voter registration list  
6 information about voters who are no longer eligible to be registered [voters.] **VOTERS;**  
7 **AND**

8 (4) [Subject] **SUBJECT** to relevant federal law and to regulations  
9 adopted by the State Board, establish and conduct a program to identify voters who  
10 have changed their addresses.

11 DRAFTER'S NOTE:

12 Error: Incorrect punctuation and omitted conjunction in § 3-101(c)(3)(iii) and  
13 stylistic error in § 3-101(c)(4) of the Election Law Article.

14 Occurred: Ch. 572, Acts of 2005.

15 3-501.

16 An election director may remove a voter from the statewide voter registration  
17 list only:

18 (2) upon determining, based on information provided pursuant to  
19 [§ 3-503] **§ 3-504** of this subtitle, that the voter is no longer eligible because:

20 (i) the voter is not qualified to be a registered voter as provided  
21 in § 3-102(b) of this title; or

22 (ii) the voter is deceased;

23 (4) if, in accordance with the administrative complaint process under  
24 § 3-602 of this title, the [local board] **STATE ADMINISTRATOR OR THE STATE**  
25 **ADMINISTRATOR'S DESIGNEE** has determined that the voter is not qualified to be  
26 registered to vote.

27 DRAFTER'S NOTE:

28 Error: Erroneous cross-reference in § 3-501(2) and erroneous entity designation  
29 in § 3-501(4) of the Election Law Article.

30 Occurred: Ch. 572, Acts of 2005; Ch. 354, Acts of 2006.

31 4-203.

1 (f) (2) For each of those two party central committees:

2 (i) two members are elected from each of the legislative  
3 districts that lie wholly within Montgomery County;

4 (ii) one member is elected from the Montgomery County part of  
5 each legislative district [which] **THAT** is partially within Montgomery County; and

6 (iii) the remainder shall be elected at large.

7 DRAFTER'S NOTE:

8 Error: Grammatical error in § 4–203(f)(2)(ii) of the Election Law Article.

9 Occurred: Ch. 291, Acts of 2002.

10 9–406.

11 (b) An individual rendering assistance under this section shall execute a  
12 certification as prescribed by the State Board and included in the instructions under  
13 [§ 9–408] **§ 9–407** of this subtitle.

14 DRAFTER'S NOTE:

15 Error: Erroneous cross–reference in § 9–406(b) of the Election Law Article.

16 Occurred: Ch. 291, Acts of 2002.

17 13–209.

18 (c) (1) To join a slate, a candidate shall file a written notice with the  
19 [board where the candidate filed a certificate of candidacy] **STATE BOARD**.

20 DRAFTER'S NOTE:

21 Error: Erroneous entity designation in § 13–209(c)(1) of the Election Law  
22 Article.

23 Occurred: As a result of Ch. 510, Acts of 2006, which eliminated non–continuing  
24 campaign finance entities and, thus, the local filing of campaign finance reports.

25 13–304.

26 (a) (1) From the date of its organization until its termination under the  
27 provisions of this title, a campaign finance entity, except a political club, shall file a  
28 campaign finance report **AT THE STATE BOARD** at the [times,] **TIMES AND** for the

1 [periods,] PERIODS [and at the locations] required by §§ 13–309, 13–312, and 13–316  
2 of this subtitle.

3 DRAFTER’S NOTE:

4 Error: Erroneous entity designation in § 13–304(a)(1) of the Election Law  
5 Article.

6 Occurred: As a result of Ch. 510, Acts of 2006, which eliminated non–continuing  
7 campaign finance entities and, thus, the local filing of campaign finance reports.

8 [13–317.

9 All campaign finance reports filed with a local board shall be filed in duplicate.]

10 DRAFTER’S NOTE:

11 Error: Obsolete provision in § 13–317 of the Election Law Article.

12 Occurred: As a result of Ch. 510, Acts of 2006, which eliminated non–continuing  
13 campaign finance entities and, thus, the local filing of campaign finance reports.

14 13–321.

15 (a) (1) In accordance with paragraph (2) of this subsection, [each board]  
16 **THE STATE BOARD** shall notify each campaign finance entity that is required under  
17 this subtitle to file campaign finance reports [with that board] of each campaign  
18 finance report required to be filed by that entity.

19 (2) The notice shall be provided by first class mail at least 10 but not  
20 more than 20 days before the filing date for each campaign finance report.

21 (b) The notice required under subsection (a) of this section shall include:

22 (1) the filing date;

23 (2) the telephone number, business hours, and location of the [board  
24 where the campaign finance report is to be filed] **STATE BOARD**; and

25 (3) the penalty for failure to file a timely campaign finance report.

26 DRAFTER’S NOTE:

27 Error: Erroneous entity designation in § 13–321(a)(1) and (b)(2) of the Election  
28 Law Article.

1 Occurred: As a result of Ch. 510, Acts of 2006, which eliminated non-continuing  
2 campaign finance entities and, thus, the local filing of campaign finance reports.  
3 Consequently, the notice requirements under § 13-321 are the responsibility of the  
4 State Board.

5 13-322.

6 A campaign finance report is timely if:

7 (2) it is received by the State Board [or the local board with which it is  
8 required to be filed] within 3 days after the filing deadline and a private postal meter  
9 postmark or a receipt by a private carrier verifies that the campaign finance report  
10 was mailed or delivered to the private carrier on or before the filing deadline.

11 DRAFTER'S NOTE:

12 Error: Obsolete language in § 13-322(2) of the Election Law Article.

13 Occurred: As a result of Ch. 510, Acts of 2006, which eliminated non-continuing  
14 campaign finance entities and, thus, the local filing of campaign finance reports.

15 13-328.

16 (a) [(1)] Within 10 days after the deadline for the filing of any campaign  
17 finance report that is required to be filed with the State Board, the State Board shall  
18 compile a list of the campaign finance entities that failed to file the campaign finance  
19 report and distribute the list, or a portion of the list, to such local boards as is required  
20 to implement this subtitle.

21 [(2)] Within 10 days after the deadline for the filing of any campaign  
22 finance report that is required to be filed with a local board, the local board shall  
23 compile a list of the campaign finance entities that failed to file the campaign finance  
24 report and transmit the list to the State Board.]

25 [(c) (1)] This subsection applies only to a failure to file a campaign finance  
26 report as specified in § 13-327 of this subtitle.

27 (2) A local board promptly shall notify the State Board of any  
28 campaign finance report that is more than 30 days overdue to be filed with that local  
29 board.]

30 DRAFTER'S NOTE:

31 Error: Obsolete provisions in § 13-328(a)(2) and (c) of the Election Law Article.

32 Occurred: As a result of Ch. 510, Acts of 2006, which eliminated non-continuing  
33 campaign finance entities and, thus, the local filing of campaign finance reports.

1 Consequently, provisions relating to the reporting and notice responsibilities of the  
2 local boards of elections are obsolete.

3 **Article – Environment**

4 1–701.

5 (g) (3) A member of the Commission:

6 (i) May not receive compensation **AS A MEMBER OF THE**  
7 **COMMISSION**; but

8 DRAFTER’S NOTE:

9 Error: Omitted words in § 1–701(g)(3)(i) of the Environment Article.

10 Occurred: Ch. 460, Acts of 2003.

11 3–105.

12 (a) (3) (ii) This paragraph does not apply in **BALTIMORE CITY OR**  
13 **Allegany, Anne Arundel, [Baltimore City,] Calvert, Charles, Garrett, Howard,**  
14 **Montgomery, St. Mary’s, and Washington counties.**

15 DRAFTER’S NOTE:

16 Error: Grammatical error in § 3–105(a)(3)(ii) of the Environment Article.

17 Occurred: Ch. 338, Acts of 1983.

18 9–658.

19 (c) (1) The Dorchester County Sanitary Commission may make the levy of  
20 a benefit assessment effective on **THE DATE ON WHICH:**

21 (i) The [date on which the] construction is substantially  
22 completed; or

23 (ii) The system is in use for the project for which the benefit  
24 assessment is made.

25 DRAFTER’S NOTE:

26 Error: Misplaced words in § 9–658(c)(1) of the Environment Article.

27 Occurred: Ch. 511, Acts of 1986.

1 9–1703.

2 (d) A county that achieves a reduction of at least 5 percent in the volume of  
3 its waste through the utilization of 1 or more resource recovery facilities in operation  
4 as of [January 1, 1988] **JANUARY 1, 1988**, shall be considered to have achieved a  
5 reduction by recycling of 5 percent of its solid waste stream.

6 DRAFTER’S NOTE:

7 Error: Omitted comma in § 9–1703(d) of the Environment Article.

8 Occurred: Ch. 536, Acts of 1988.

9 15–823.

10 (c) Liability under the bond shall be for the duration of the mining permit  
11 and for a period of [five] **5** years after its expiration, unless previously released in  
12 whole or in part, as provided in § 15–824 of this subtitle.

13 DRAFTER’S NOTE:

14 Error: Stylistic error in § 15–823(c) of the Environment Article.

15 Occurred: Ch. 581, Acts of 1975.

16 **Article – Estates and Trusts**

17 13–207.

18 (a) Persons are entitled to appointment as guardian for a minor or disabled  
19 person according to the following priorities:

20 (9) A person or corporation nominated by a governmental agency  
21 which is paying benefits to him; **AND**

22 DRAFTER’S NOTE:

23 Error: Omitted conjunction in § 13–207(a)(9) of the Estates and Trusts Article.

24 Occurred: Ch. 11, Acts of 1974.

25 **Article – Family Law**

26 5–580.3.

27 (a) (2) Each employee, as defined in § 5–560 of this subtitle, of a child care  
28 center that is required to be licensed or to hold a letter of compliance under this

1 subtitle shall apply to the Department **OF HUMAN RESOURCES**, on or before the first  
2 day of actual employment, for a child abuse and neglect clearance.

3 DRAFTER'S NOTE:

4 Error: Erroneous reference in § 5-580.3(a)(2) of the Family Law Article.

5 Occurred: As a result of Ch. 585, Acts of 2005 and publisher changes ratified in  
6 Ch. 44, Acts of 2006. Correction recommended by Assistant Attorney General Kathryn  
7 M. Rowe, Office of the Counsel to the General Assembly, in memo dated November 6,  
8 2009.

9 10-301.

10 (v) (2) "State" includes:

11 (ii) a foreign country or political subdivision that has:

12 2. established a reciprocal arrangement for child support  
13 with this State as provided in § 10-320 **OF THIS SUBTITLE**; or

14 DRAFTER'S NOTE:

15 Error: Stylistic error in § 10-301(v)(2)(ii)2 of the Family Law Article.

16 Occurred: Ch. 522, Acts of 2008.

17 10-304.

18 (b) The bases of personal jurisdiction set forth in subsection (a) of this section  
19 or in any other law of this State may not be used to acquire personal jurisdiction for a  
20 tribunal of the State to modify a child support order of another state unless the  
21 requirements of §§ 10-350 and 10-353.1 **OF THIS SUBTITLE** are met.

22 DRAFTER'S NOTE:

23 Error: Stylistic error in § 10-304(b) of the Family Law Article.

24 Occurred: Ch. 522, Acts of 2008.

25 **Article – Financial Institutions**

26 2-113.

27 (d) Except as provided in § 2-117 of this subtitle, the provisions of §§ 2-114  
28 through 2-117, inclusive, of this subtitle do not apply to:



1           (4) An affiliate of an institution described in [paragraph] ITEM (1), (2),  
2 or (3) of this subsection.

3           DRAFTER'S NOTE:

4           Error: Stylistic error in § 2-113(d)(4) of the Financial Institutions Article.

5           Occurred: Ch. 633, Acts of 2000.

6           4-803.

7           (e) Within 3 months after the application for approval of reorganization is  
8 filed for examination, the Commissioner shall approve or reject the application. The  
9 Commissioner may not approve the application unless the Commissioner determines:

10           (2) That if the reorganization is pursuant to an acquisition by the  
11 mutual holding company of all the stock of a savings and loan association:

12                   (ii) The mutual holding company agrees to obtain federal  
13 insurance for the deposits of the acquired savings and loan ASSOCIATION within the  
14 time limitation imposed by the Commissioner;

15           DRAFTER'S NOTE:

16           Error: Omitted word in § 4-803(e)(2)(ii) of the Financial Institutions Article.

17           Occurred: Ch. 355, Acts of 1986.

18           5-203.

19           (b) (2) If a banking institution is not in the business of accepting deposits  
20 or retaining funds in a deposit account as defined in § 5-509 of this [article] TITLE,  
21 the Commissioner shall assess the banking institution the sum of:

22                   (i) \$5,000; plus

23                           (ii) 1. 0.3 cents for each \$1,000 of managed assets held in a  
24 fiduciary capacity up to \$5,000,000,000;

25                                   2. 0.2 cents for each \$1,000 of managed assets held in a  
26 fiduciary capacity over \$5,000,000,000, but not more than \$20,000,000,000;

27   3. 0.1 cent for each \$1,000 of managed assets held in a  
28 fiduciary capacity over \$20,000,000,000 up to \$27,500,000,000;

29   4. 0.2 cents for each \$1,000 of nonmanaged and custodial  
30 assets held in a fiduciary capacity up to \$5,000,000,000; and

1                                   5.     0.1 cent for each \$1,000 of nonmanaged and custodial  
2 assets held in a fiduciary capacity over \$5,000,000,000 up to \$20,000,000,000.

3           DRAFTER'S NOTE:

4           Error: Stylistic error in § 5–203(b)(2) of the Financial Institutions Article.

5           Occurred: Ch. 293, Acts of 2008.

6   11–601.

7           (c)   “Clerical or support duties” [include] **INCLUDES** the following activities  
8 relating to the processing or underwriting of a mortgage loan when performed  
9 subsequent to the receipt of a loan application:

10                   (1)   The receipt, collection, distribution, and analysis of information  
11 usual and customary for the processing or underwriting of a mortgage loan; and

12                   (2)   Communication with a consumer to obtain information necessary  
13 for the processing or underwriting of a mortgage loan, to the extent that the  
14 communication does not include offering or negotiating mortgage loan rates or terms,  
15 or counseling consumers about mortgage loan rates or terms.

16           DRAFTER'S NOTE:

17           Error: Incorrect word usage in § 11–601(c) of the Financial Institutions Article.

18           Occurred: Ch. 4, Acts of 2009.

19   11–603.

20           (c)   (5)   The license shall remain in nonactive status until:

21                   (i)   The licensee:

22                                   1.   Notifies the Commissioner in writing that the licensee  
23 has obtained employment with a licensed mortgage lender or with a person exempt  
24 from licensing as a mortgage lender; and

25                                   2.   Has complied with the requirements set forth in  
26 paragraph [(c)(2)] **(2)** of this subsection; or

27           DRAFTER'S NOTE:

28           Error: Stylistic error in § 11–603(c)(5)(i)2 of the Financial Institutions Article.

1 Occurred: Ch. 4, Acts of 2009.

2 **Article – Health – General**

3 2–302.

4 (b) The funding shall be:

5 (2) For fiscal year 1998 and each subsequent fiscal year, the amount of  
6 funding for fiscal year 1997 adjusted for:

7 (i) Inflation, as measured by the Consumer Price Index [— all  
8 urban consumers] (**ALL URBAN CONSUMERS**, for the second preceding fiscal year,  
9 calculated by the U.S. Department of Commerce; and

10 (ii) Population growth, as measured by the growth in the total  
11 population of the State of Maryland for the second preceding fiscal year, according to  
12 the most recent statistics available through the Department of Health and Mental  
13 Hygiene.

14 DRAFTER'S NOTE:

15 Error: Capitalization error in § 2–302(b)(2)(i) of the Health – General Article.

16 Occurred: Ch. 504, Acts of 1995.

17 4–224.

18 To protect the integrity of vital records, to [insure] **ENSURE** their proper use,  
19 and to [insure] **ENSURE** the efficient and proper administration of the vital records  
20 system, a person may not, except as authorized in § 4–217, § 4–220, § 4–221, or §  
21 4–222 of this subtitle or § 9–1015 of the State Government Article or by the rules and  
22 regulations of the Department:

23 (1) Permit inspection of or disclose any information contained in a  
24 vital record; or

25 (2) Copy or issue a copy of all or part of any vital record.

26 DRAFTER'S NOTE:

27 Error: Incorrect word usage in § 4–224 of the Health – General Article.

28 Occurred: Ch. 21, Acts of 1982.

29 4–301.

1 (k) “Person in interest” means:

2 (5) If [paragraph] ITEM (4) of this subsection does not apply to a  
3 minor:

4 (i) A parent of the minor, except if the parent’s authority to  
5 consent to health care for the minor has been specifically limited by a court order or a  
6 valid separation agreement entered into by the parents of the minor; or

7 (ii) A person authorized to consent to health care for the minor  
8 consistent with the authority granted; or

9 (6) An attorney appointed in writing by a person listed in [paragraph]  
10 ITEM (1), (2), (3), (4), or (5) of this subsection.

11 DRAFTER’S NOTE:

12 Error: Stylistic error in § 4–301(k)(5) and (6) of the Health – General Article.

13 Occurred: Ch. 55, Acts of 1991.

14 5–310.

15 (d) (2) (v) The appellant may appeal a rejection under subparagraph  
16 (iv)2 **OF THIS PARAGRAPH** to a circuit court of competent jurisdiction.

17 DRAFTER’S NOTE:

18 Error: Stylistic error in § 5–310(d)(2)(v) of the Health – General Article.

19 Occurred: Ch. 547, Acts of 1992.

20 5–609.

21 (d) An advance directive made in accordance with this subtitle shall be  
22 presumed to have been made voluntarily by a competent individual. Authorization for  
23 the provision, [withholding] **WITHHOLDING**, or withdrawal of life–sustaining  
24 procedures in accordance with this subtitle shall be presumed to have been made in  
25 good faith.

26 DRAFTER’S NOTE:

27 Error: Omitted comma in § 5–609(d) of the Health – General Article.

28 Occurred: Ch. 372, Acts of 1993.

29 5–704.

1 (a) The purpose of the State Team is to prevent child deaths by:

2 (2) Developing plans for and implementing changes within the  
3 agencies represented on the **STATE** Team to prevent child deaths; and

4 DRAFTER'S NOTE:

5 Error: Omitted word in § 5-704(a)(2) of the Health – General Article.

6 Occurred: Chs. 355 and 356, Acts of 1999.

7 7-403.

8 (b) Within 60 days after the Department receives an application for services  
9 for an individual, the Secretary, on the basis of the application, shall:

10 (2) If a positive determination is made under item [(i) or (ii) of  
11 paragraph (1)] **(1)(I) OR (II)** of this subsection:

12 (i) Approve the application;

13 (ii) Determine the nature of the disability;

14 (iii) Determine the nature of services that the individual may  
15 require;

16 (iv) Determine the type of environment in which any needed  
17 services could be provided with the least restriction on the liberty of the individual;

18 (v) Determine what types of evaluations, if any, the individual  
19 requires;

20 (vi) Inform the individual of these determinations; and

21 (vii) Inform the individual that these determinations are  
22 preliminary and may be subject to modification as a result of further evaluation.

23 DRAFTER'S NOTE:

24 Error: Stylistic error in § 7-403(b)(2) of the Health – General Article.

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

26 7-602.

1 (c) “Public group home” means a group home that is owned by or leased to  
2 [this] THE State or a political subdivision of [this] THE State, whether or not this  
3 group home is maintained and operated by a private, nonprofit person.

4 DRAFTER’S NOTE:

5 Error: Stylistic errors in § 7–602(c) of the Health – General Article.

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

7 7–604.

8 (a) The Secretary shall, in accordance with the State plan established under  
9 Subtitle 3 of this title, determine the need, if any, for [1] ONE or more public group  
10 homes for individuals with developmental disability in each county or multicounty  
11 region of [this] THE State.

12 DRAFTER’S NOTE:

13 Error: Stylistic errors in § 7–604(a) of the Health – General Article.

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

15 7–606.

16 (a) (1) If the Board of Public Works approves the site that has been  
17 chosen by the Secretary, on a default by a county or counties, [this] THE State may:

18 (i) Acquire the site by lease or purchase, condemnation, or  
19 otherwise; AND

20 (ii) Renovate a building or build a public group home that meets  
21 the requirements of:

22 1. The State plan;

23 2. The regulations issued under § 7–904 of this title  
24 relating to community–based residential services; and

25 3. The program accessibility requirements of the federal  
26 regulations (45 C.F.R. §§ 84.21 through 84.23).

27 (2) Before acquiring the site, the Secretary shall give the governing  
28 body for the county where the site is located and the community around the site notice  
29 of the intention of [this] THE State to acquire and improve the site.

1 (b) Each public group home that is acquired under this section shall be  
2 operated by:

3 (2) [This] **THE** State as a provider of last resort on an interim basis  
4 until a suitable private operator can be found.

5 DRAFTER'S NOTE:

6 Error: Stylistic error in § 7-606(a)(1) and (2) and (b)(2) and missing conjunction  
7 in § 7-606(a)(1)(i) of the Health – General Article.

8 Occurred: Chs. 636 and 637, Acts of 1986.  
9 7-1006.

10 (c) (1) (vi) Subsequent to the initial written plan of habilitation for  
11 individuals in State residential centers, the written plan of habilitation shall include  
12 an annual update on the status and progress toward addressing and resolving the  
13 barriers identified in subparagraph (vii)4 of this [subsection] **PARAGRAPH**.

14 DRAFTER'S NOTE:

15 Error: Stylistic error in § 7-1006(c)(1)(vi) of the Health – General Article.

16 Occurred: Ch. 396, Acts of 2005.  
17 8-502.

18 (a) After a preliminary evaluation of an individual by the administrator or  
19 the designee of the administrator, the individual may be admitted to the facility if it is  
20 certified in writing that the individual:

21 (1) Has acute symptoms of alcohol or drug [intoxification]  
22 **INTOXICATION** or withdrawal; and

23 DRAFTER'S NOTE:

24 Error: Incorrect word usage in § 8-502(a)(1) of the Health – General Article.

25 Occurred: Ch. 782, Acts of 1989.  
26 10-208.

27 (a) (1) There is a [continuing] **CONTINUING**, nonlapsing Mental Hygiene  
28 Community-Based Services Fund.

29 DRAFTER'S NOTE:

1 Error: Omitted comma in § 10–208(a)(1) of the Health – General Article.

2 Occurred: Ch. 401, Acts of 1994.

3 10–622.

4 (b) (1) The petition for emergency evaluation of an individual may be  
5 made by:

6 (i) A physician, [a] psychologist, [a] clinical social worker, [a]  
7 licensed clinical professional counselor, clinical nurse specialist in psychiatric and  
8 mental health nursing, psychiatric nurse practitioner, [a] licensed clinical marriage  
9 and family therapist, or [a] health officer or designee of a health officer who has  
10 examined the individual;

11 DRAFTER’S NOTE:

12 Error: Extraneous articles in § 10–622(b)(1)(i) of the Health – General Article.

13 Occurred: Ch. 21, Acts of 1982; Ch. 270, Acts of 2001; Ch. 49, Acts of 2002; and  
14 Ch. 43, Acts of 2008.

15 10–623.

16 (a) If the petitioner under Part IV of this subtitle is not a physician, [a]  
17 psychologist, [a] clinical social worker, [a] licensed clinical professional counselor,  
18 clinical nurse specialist in psychiatric and mental health nursing, psychiatric nurse  
19 practitioner, [a] licensed clinical marriage and family therapist, [a] health officer or  
20 designee of a health officer, or [a] peace officer, the petitioner shall present the  
21 petition to the court for immediate review.

22 DRAFTER’S NOTE:

23 Error: Extraneous articles in § 10–623(a) of the Health – General Article.

24 Occurred: Ch. 21, Acts of 1982; Ch. 270, Acts of 2001; Ch. 49, Acts of 2002; and  
25 Ch. 43, Acts of 2008.

26 10–624.

27 (a) (1) A peace officer shall take an emergency evaluatee to the nearest  
28 emergency facility if the peace officer has a petition under Part IV of this subtitle that:

29 (ii) Is signed and submitted by a physician, [a] psychologist, [a]  
30 clinical social worker, [a] licensed clinical professional counselor, clinical nurse  
31 specialist in psychiatric and mental health nursing, psychiatric nurse practitioner, [a]



1 licensed clinical marriage and family therapist, [a] health officer or designee of a  
2 health officer, or [a] peace officer.

3 DRAFTER'S NOTE:

4 Error: Extraneous articles in § 10–624(a)(1)(ii) of the Health – General Article.

5 Occurred: Ch. 21, Acts of 1982; Ch. 270, Acts of 2001; Ch. 49, Acts of 2002; and  
6 Ch. 43, Acts of 2008.

7 10–701.

8 (g) (3) After satisfying the provisions of paragraphs (1) and (2) of this  
9 subsection, the executive director of the protection and advocacy agency, or the  
10 executive director's designee, may pursue an investigation [and] **AND**, as part of that  
11 investigation, shall continue to have access to the records of the individual whose  
12 rights have been allegedly violated.

13 DRAFTER'S NOTE:

14 Error: Omitted comma in § 10–701(g)(3) of the Health – General Article.

15 Occurred: Ch. 429, Acts of 1984.

16 10–708.

17 (j) If a panel approves the administration of medication, the lay advisor  
18 promptly shall:

19 (1) Inform the individual of the individual's right to appeal the  
20 decision under subsection (k) of this section;

21 (2) [Insure] **ENSURE** that the individual has access to a telephone as  
22 provided under § 10–702(b) of this subtitle;

23 (3) If the individual requests a hearing, notify the chief executive  
24 officer of the facility or the chief executive officer's designee pursuant to subsection  
25 (k)(1) of this section and give the individual written notice of the date, time, and  
26 location of the hearing; **AND**

27 (4) Advise the individual of the provision for renewal of an approval  
28 under subsection (m) of this section.

29 DRAFTER'S NOTE:

30 Error: Incorrect word usage in § 10–708(j)(2) and omitted conjunction in §  
31 10–708(j)(3) of the Health – General Article.

1 Occurred: Ch. 385, Acts of 1991.

2 10–812.

3 (c) A dispute over a transfer of an individual from the Mental Hygiene  
4 Administration to the Developmental Disabilities Administration shall be resolved, in  
5 accordance with procedures that the Secretary sets, on request of:

6 (1) The Mental Hygiene Administration; **OR**

7 (2) The Developmental Disabilities Administration.

8 DRAFTER'S NOTE:

9 Error: Omitted conjunction in § 10–813(c)(1) of the Health – General Article.

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

11 10–905.

12 Salaries for employees of community mental health programs that [this] **THE**  
13 State funds and that the Department designates to serve a specific area may not be  
14 less than salaries of State employees of a comparable grade and step at State facilities.

15 DRAFTER'S NOTE:

16 Error: Stylistic error in § 10–905 of the Health – General Article.

17 Occurred: Ch. 21, Acts of 1982.

18 13–1101.

19 (l) “Local health officer” means:

20 (1) The head of a county health department; or

21 (2) A person designated by the Department under [§ 13–1109(g) or §  
22 13–1115(i)] **§ 13–1109(H) OR § 13–1115(F)** of this subtitle.

23 DRAFTER'S NOTE:

24 Error: Erroneous cross–references in § 13–1101(l)(2) of the Health – General  
25 Article.

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

1 13–1604.

2 The Advisory Council shall:

3 (1) Monitor trends in the provision of care to Marylanders with  
4 life-limiting illnesses;

5 (2) Study the impact of State statutes, regulations, policies, and other  
6 aspects of public policy on the provision of care at the end of life;

7 (3) Provide recommendations to the Office of the Attorney General,  
8 the Department [of Health and Mental Hygiene], the Department of Aging, and other  
9 agencies of State government with respect to their activities affecting the provision of  
10 care at the end of life;

11 (4) Advise the [Maryland] General Assembly on legislative proposals  
12 affecting the provision of care at the end of life;

13 (5) Participate in or otherwise promote public and professional  
14 educational efforts concerning care at the end of life; and

15 (6) Carry out other duties as may be requested by the Governor or the  
16 [Maryland] General Assembly.

17 DRAFTER'S NOTE:

18 Error: Stylistic errors in § 13–1604(3), (4), and (6) of the Health – General  
19 Article.

20 Occurred: Ch. 265, Acts of 2002.

21 13–2702.

22 (a) Subject to the limitations of its budget, the Department:

23 (2) (ii) [The provision of] **SHALL PROVIDE** services through the  
24 Mental Hygiene Administration or the Alcohol and Drug Abuse Administration [shall  
25 be] based on eligibility and medical necessity criteria established by these  
26 administrations; and

27 DRAFTER'S NOTE:

28 Error: Grammatical error in § 13–2702(a)(2)(ii) of the Health – General Article.

29 Occurred: Chs. 555 and 556, Acts of 2008.

30 14–401.

1 (k) “Routine activity” means any type of activity other than a specialized  
 2 activity as set forth in subsection [(e)(3)] **(G)(3)** of this section that is conducted for  
 3 children by a youth camp.

4 DRAFTER’S NOTE:

5 Error: Erroneous internal reference in § 14–401(k) of the Health – General  
 6 Article.

7 Occurred: As a result of Ch. 25, § 6, Acts of 2004.

8 15–103.

9 (e) By regulation, the Department shall adopt a methodology to ensure that  
 10 federally qualified health centers are paid reasonable [cost based] **COST-BASED**  
 11 reimbursement that is consistent with federal law.

12 DRAFTER’S NOTE:

13 Error: Omitted hyphen in § 15–103(e) of the Health – General Article.

14 Occurred: Ch. 314, Acts of 2001.

15 15–133.

16 (a) The State shall apply to the Health Care Financing Administration of the  
 17 United States Department of Health and Human Services for grants to assist states in  
 18 improving [home and] **HOME- AND** community–based service systems, including:

19 (1) Real choice system change grants;

20 (2) Nursing facility transition grants and “access housing” grants; and

21 (3) Community–based attendant services with consumer control  
 22 grants.

23 DRAFTER’S NOTE:

24 Error: Omitted hyphen in § 15–133(a) of the Health – General Article.

25 Occurred: Ch. 495, Acts of 2001.

26 15–201.

27 (c) (2) If the applicant **OR RECIPIENT** is a child under the age of 18  
 28 years, “family” means:

- 1 (i) The minor applicant's or recipient's parents; and  
2 (ii) At the option of the minor applicant's or recipient's parents,  
3 the minor applicant's or recipient's siblings.

4 DRAFTER'S NOTE:

5 Error: Omitted word in § 15–201(c)(2) of the Health – General Article.

6 Occurred: Ch. 44, Acts of 1992.

7 15–205.

8 (a) The Department shall, subject to § 2–1246 of the State Government  
9 Article, provide the Governor and the General Assembly with an annual report  
10 summarizing the Program expenditures, numbers of recipients, Program effectiveness,  
11 the estimated savings to the **MARYLAND** Medical Assistance Program, additional  
12 costs incurred by private insurance companies, and the loss of federal funding.

13 DRAFTER'S NOTE:

14 Error: Misnomer in § 15–205(a) of the Health – General Article.

15 Occurred: Ch. 188, Acts of 1990.

16 15–501.

17 (a) An individual who is eligible for medical assistance at the time of  
18 application for admission to a licensed nursing home or would become eligible within 6  
19 months following admission shall be provided a comprehensive face-to-face evaluation  
20 prior to admission, at no charge to the individual. The Department, under the  
21 Maryland Medical Assistance Program, shall pay for the evaluation. The evaluation  
22 shall include an assessment of an individual's health, social and functional [status]  
23 **STATUS**, and recommendations for available services [which] **THAT** could  
24 appropriately substitute for nursing home care. The evaluation is advisory only and  
25 may not serve as the basis for any action, including denial or commencement of  
26 benefits, that restricts the freedom of any individual to select from among any of the  
27 available services, including nursing home care, for which the individual is found to be  
28 medically eligible. Prior to beginning the evaluation process and annually thereafter,  
29 the Department shall prepare and publish an inventory of available services for use in  
30 the evaluation and shall provide this information for assistance to the individual upon  
31 completion of the evaluation.

32 DRAFTER'S NOTE:

1 Error: Omitted comma and grammatical error in § 15–501(a) of the Health –  
2 General Article.

3 Occurred: Ch. 459, Acts of 1986.

4 18–213.

5 (j) A fire fighter, emergency medical technician, rescue squadman, law  
6 enforcement officer, or correctional officer shall receive from their employers or local  
7 governmental bodies, at the expense of the employer or local governmental body, as  
8 part of their training, education on:

9 (2) The current Centers for Disease Control **AND PREVENTION**  
10 guidelines for preventing prehospital exposure to HIV and hepatitis B while rendering  
11 emergency medical care.

12 (k) A fire fighter, emergency medical technician, rescue squadman, law  
13 enforcement officer, or correctional officer shall receive from their employers,  
14 associations, or local governmental bodies, at the employers', associations', or local  
15 governmental bodies' expense, equipment recommended by the Centers for Disease  
16 Control **AND PREVENTION** to protect a fire fighter, emergency medical technician,  
17 rescue squadman, law enforcement officer, or correctional officer from exposure to HIV  
18 and hepatitis B while rendering emergency medical care.

19 DRAFTER'S NOTE:

20 Error: Misnomer in § 18–213(j)(2) and (k) of the Health – General Article.

21 Occurred: As a result of changes in federal law enacted by P. L. 102–531 (1992).

22 18–213.1.

23 (h) A sworn member of the State Fire Marshal's office shall receive  
24 from the State Fire Marshal's office, at the expense of the State Fire Marshal's office,  
25 as part of the member's training, education on:

26 (2) The current Centers for Disease Control **AND PREVENTION**  
27 guidelines for preventing prehospital exposure to HIV and hepatitis B while rendering  
28 emergency medical care.

29 (i) A sworn member of the State Fire Marshal's office shall receive from the  
30 State Fire Marshal's office, at the State Fire Marshal's expense, equipment  
31 recommended by the Centers for Disease Control **AND PREVENTION** to protect a  
32 sworn member of the State Fire Marshal's office from exposure to HIV and hepatitis B  
33 while rendering emergency medical care.

34 DRAFTER'S NOTE:

1 Error: Misnomer in § 18–213.1(h)(2) and (i) of the Health – General Article.

2 Occurred: As a result of changes in federal law enacted by P. L. 102–531 (1992).

3 18–308.

4 (e) A person who violates any provision of [subsections] **SUBSECTION** (b)(2)  
5 or (d) of this section is guilty of a misdemeanor and on conviction is subject to a fine  
6 not exceeding \$100 or imprisonment not exceeding 6 months or both.

7 **DRAFTER’S NOTE:**

8 Error: Grammatical error in § 18–308(e) of the Health – General Article.

9 Occurred: Ch. 21, § 2, Acts of 1982.

10 18–331.

11 (c) The Department shall report to the United States Centers for Disease  
12 Control **AND PREVENTION** all information collected under subsection (a) of this  
13 section, including that received under § 18–330(b) of this subtitle.

14 **DRAFTER’S NOTE:**

15 Error: Misnomer in § 18–331(c) of the Health – General Article.

16 Occurred: As a result of changes in federal law enacted by P. L. 102–531 (1992).

17 18–338.1.

18 (h) (1) Notwithstanding the provisions of [Subtitle 3 of Title 4] **TITLE 4,**  
19 **SUBTITLE 3** of this article, the records, including any physician order for an HIV test  
20 or the results of an HIV test performed on a blood sample of a patient or a health care  
21 provider in accordance with the provisions of this section may not be documented in  
22 the medical record of the patient or health care provider.

23 **DRAFTER’S NOTE:**

24 Error: Stylistic error in § 18–338.1(h)(1) of the Health – General Article.

25 Occurred: Ch. 535, Acts of 1991.

26 (l) The Medical and Chirurgical Faculty of the State of Maryland in  
27 consultation with the Centers for Disease Control **AND PREVENTION**, the Maryland  
28 Hospital Association, and the Department of Health and Mental Hygiene shall develop  
29 a practice protocol for physicians who are infected with HIV.

1 DRAFTER'S NOTE:

2 Error: Misnomer in § 18–338.1(l) of the Health – General Article.

3 Occurred: As a result of changes in federal law enacted by P. L. 102–531 (1992).

4 18–338.3.

5 (a) (8) “Public safety worker” means:

6 (i) A career or volunteer member of a fire, rescue, or emergency  
7 medical services department, company, squad, or auxiliary;

8 (ii) A law enforcement officer;

9 (iii) The State Fire Marshal or a sworn member of the State Fire  
10 Marshal’s office; or

11 (iv) A forensic scientist [that] **WHO** works under the direction of  
12 a law enforcement agency.

13 (b) Notwithstanding the provisions of § 18–338.1 of this subtitle, the  
14 designated infectious disease/communicable disease officer of a hospital shall order a  
15 test for the presence of antibodies to the human immunodeficiency virus (HIV) under  
16 subsection (d) of this section when:

17 (1) There has been an exposure in a hospital between a patient and a  
18 health care provider, an exposure between [the] A patient and a first responder, or an  
19 exposure between a patient and a public safety worker before admission of the patient  
20 to a hospital, that, in accordance with the Centers for Disease Control and Prevention  
21 recommendations, would warrant recommending or offering chemoprophylaxis  
22 treatment for the health care provider, first responder, or public safety worker;

23 DRAFTER'S NOTE:

24 Error: Grammatical errors in § 18–338.3(a)(8)(iv) and (b)(1) of the Health –  
25 General Article.

26 Occurred: Ch. 227, Acts of 2007; Ch. 143, Acts of 2003.

27 18–404.

28 (e) A resident or employee is not required to receive a vaccine under this  
29 section if:



1                   (1)    The vaccine is medically contraindicated for the resident or  
2 employee;

3                   (2)    The vaccine is against the [resident] **RESIDENT'S** or employee's  
4 religious beliefs; or

5                   (3)    After being fully informed by the related institution of the health  
6 risks associated with not receiving a vaccine, the resident or employee refuses the  
7 vaccine.

8                   DRAFTER'S NOTE:

9                   Error: Grammatical error in § 18-404(e)(2) of the Health – General Article.

10                  Occurred: Ch. 420, Acts of 2000.

11                  18-906.

12                  (b)    (6)    In the event that an individual cannot personally appear before the  
13 court, proceedings may be conducted:

14                               (i)    By an individual's authorized representative; and

15                               (ii)   Through any means that [allows] **ALLOW** other individuals  
16 to fully participate.

17                  DRAFTER'S NOTE:

18                  Error: Grammatical error in § 18-906(b)(6)(ii) of the Health – General Article.

19                  Occurred: Ch. 1, Acts of 2002.

20                  19-109.

21                  (a)    In addition to the powers set forth elsewhere in this subtitle, the  
22 Commission may:

23                               (3)    Appoint advisory committees, which shall include consumers and  
24 may include representatives of interested public or private organizations, to make  
25 recommendations to the Commission on community-based services, [long term]  
26 **LONG-TERM** care, acute patient services, ambulatory surgical services, specialized  
27 health care services, residential treatment centers for emotionally disturbed children  
28 and adolescents, mental health and alcohol and drug abuse services, and any other  
29 topic or issue that the Commission considers necessary;

30                  (b)    In addition to the duties set forth elsewhere in this subtitle, the  
31 Commission shall:

1           (4) Beginning December 1, 2000, and each December 1 thereafter,  
2 submit to the Governor, [to] the Secretary, and, subject to § 2–1246 of the State  
3 Government Article, [to] the General Assembly an annual report on the operations  
4 and activities of the Commission during the preceding fiscal year, including:

5                   (i) A copy of each summary, compilation, and supplementary  
6 report required by this subtitle; and

7                   (ii) Any other fact, suggestion, or policy recommendation that  
8 the Commission considers necessary; and

9           DRAFTER'S NOTE:

10           Error: Omitted hyphen and extraneous language in § 19–109(a)(3) and (b)(4) of  
11 the Health – General Article.

12           Occurred: Ch. 702, Acts of 1999.

13           19–214.

14           (d) (3) For the portion of the assessment under paragraph (1)(ii) of this  
15 subsection:

16                   (i) The Commission shall ensure that the assessment:

17                               3. May not be less as a percentage of net patient revenue  
18 than the assessment of [.8128%] **0.8128%** that was in existence on July 1, 2007; and

19           DRAFTER'S NOTE:

20           Error: Stylistic error in § 19–214(d)(3)(i)3 of the Health – General Article.

21           Occurred: Chs. 244 and 245, Acts of 2008.

22           19–303.

23           (a) (3) “Community benefit” means an activity that is intended to address  
24 community needs and priorities primarily through disease prevention and  
25 improvement of health status, including:

26                   (ii) Financial or [in kind] **IN–KIND** support of public health  
27 programs;

28           DRAFTER'S NOTE:

29           Error: Omitted hyphen in § 19–303(a)(3)(ii) of the Health – General Article.

1 Occurred: Ch. 178, Acts of 2001.

2 19–307.1.

3 The Department shall adopt regulations for a limited service hospital that  
4 include the following standards:

5 (9) Adoption, implementation, and enforcement of a policy shall exist  
6 that requires, except in an emergency life–threatening situation where it is not  
7 feasible or practicable, compliance by all employees and medical staff involved in  
8 patient care services with the Centers for Disease [Control’s] **CONTROL AND**  
9 **PREVENTION’S** guidelines on universal precautions; and

10 DRAFTER’S NOTE:

11 Error: Misnomer in § 19–307.1(9) of the Health – General Article.

12 Occurred: As a result of changes in federal law enacted by P. L. 102–531 (1992).

13 19–345.

14 (a) A resident of a facility may not be transferred or discharged from the  
15 facility involuntarily except for the following reasons:

16 (4) The resident has failed, after reasonable and appropriate [notice]  
17 **NOTICE**, to pay for, or under Medicare or Medicaid or [otherwise] **OTHERWISE**, to  
18 have paid for[,] a stay at the facility; or

19 DRAFTER’S NOTE:

20 Error: Omitted comma and misplaced comma in § 19–345(a)(4) of the Health –  
21 General Article.

22 Occurred: Ch. 547, Acts of 1995.

23 19–345.1.

24 (c) Except as otherwise provided in this section, at least 30 days before the  
25 facility involuntarily transfers or discharges a [resident] **RESIDENT**, the facility shall:

26 (1) Provide to the resident the written notice required under  
27 subsection (a) of this section; and

28 (2) Provide the written notice required under subsection (a) of this  
29 section to:

1 (i) The next of kin, guardian, or any other individual known to  
2 have acted as the individual's representative, if any;

3 (ii) The Long-Term Care Ombudsman; and

4 (iii) The Department.

5 DRAFTER'S NOTE:

6 Error: Omitted comma in § 19-345.1(c) of the Health – General Article.

7 Occurred: Ch. 547, Acts of 1995.

8 (e) (2) If a facility discharges or transfers a resident under the provisions  
9 of this [subsection] **SUBSECTION**, the facility shall provide reasonable notice of the  
10 proposed discharge or transfer.

11 DRAFTER'S NOTE:

12 Error: Omitted comma in § 19-345.1(e)(2) of the Health – General Article.

13 Occurred: Ch. 547, Acts of 1995.

14 19-346.

15 (d) (3) A facility that is a related institution caring for individuals and  
16 whose administrator or bookkeeper has control over or access to the funds of a resident  
17 of the facility[,] shall [provide] **PROVIDE**, as determined by the Department, either:

18 (i) A bond in an amount the Department requires;

19 (ii) A letter of credit equal to 3 times the average yearly balance  
20 of funds of all residents of the facility; or

21 (iii) Self-insurance if the net worth of the facility is at least 3  
22 times the average yearly balance of funds of all residents of the facility.

23 DRAFTER'S NOTE:

24 Error: Misplaced comma in § 19-346(d)(3) of the Health – General Article.

25 Occurred: Ch. 309, Acts of 1986.

26 (n) (1) A person, including the legal representative of the resident, may  
27 not use the assets or income of a resident for any purpose that is not authorized by the  
28 resident, a [designee] **DESIGNEE**, or A legal representative, including a representative  
29 payee of the resident.

1 DRAFTER'S NOTE:

2 Error: Incorrect punctuation and omitted article in § 19–346(n)(1) of the Health  
3 – General Article.

4 Occurred: Ch. 547, Acts of 1995.

5 19–3A–02.

6 (b) The regulations shall require the freestanding medical facility to:

7 (4) (i) Comply, except in a life–threatening emergency in which  
8 compliance is not feasible or practicable, with the federal Centers for Disease Control  
9 **AND PREVENTION** guidelines on universal precautions; and

10 (ii) Display the notice developed under § 1–207 of the Health  
11 Occupations Article that explains the federal Centers for Disease **[Control's]**  
12 **CONTROL AND PREVENTION'S** guidelines on universal precautions at the entrance  
13 to the freestanding medical facility;

14 DRAFTER'S NOTE:

15 Error: Misnomers in § 19–3A–02(b)(4) of the Health – General Article.

16 Occurred: As a result of changes in federal law enacted by P. L. 102–531 (1992).

17 19–705.3.

18 (b) The Department shall adopt regulations to require health maintenance  
19 organizations to:

20 (1) Adopt, implement, and enforce a policy that requires, except in an  
21 emergency life–threatening situation where it is not feasible or practicable, all  
22 employees and medical staff involved in patient care services to comply with the  
23 Centers for Disease **[Control's]** **CONTROL AND PREVENTION'S** guidelines on  
24 universal precautions; and

25 DRAFTER'S NOTE:

26 Error: Misnomer in § 19–705.3(b)(1) of the Health – General Article.

27 Occurred: As a result of changes in federal law enacted by P. L. 102–531 (1992).

28 19–1407.

1 (a) (2) The **HEALTH CARE QUALITY** Account shall be funded by civil  
2 money penalties paid by nursing homes and other penalties that the Office of Health  
3 Care Quality may assess.

4 (5) The **HEALTH CARE QUALITY** Account is a [continuing]  
5 **CONTINUING**, nonlapsing fund, not subject to § 7–302 of the State Finance and  
6 Procurement Article.

7 (6) Any unspent portions of the **HEALTH CARE QUALITY** Account  
8 may not be transferred or reverted to the General Fund of the State, but shall remain  
9 in the **HEALTH CARE QUALITY** Account to be used for the purposes specified in this  
10 section.

11 DRAFTER'S NOTE:

12 Error: Misnomer in § 19–1407(a)(2), (5), and (6) and omitted comma in §  
13 19–1407(a)(5) of the Health – General Article.

14 Occurred: Ch. 488, Acts of 2000; Ch. 29, Acts of 2001.

15 19–1411.

16 (b) The Secretary, in consultation with the [medical and chiralurgical faculty]  
17 **MEDICAL AND CHIRURGICAL FACULTY OF MARYLAND**, and representatives of the  
18 nursing home industry, shall:

19 (1) Establish qualifications for the medical director of a nursing home  
20 or anyone acting for the medical director in his or her absence;

21 (2) Define the duties of the medical director; and

22 (3) Adopt regulations for the attending physicians who treat residents  
23 of nursing homes that will provide for physician accountability.

24 DRAFTER'S NOTE:

25 Error: Misnomer in § 19–1411(b) of the Health – General Article.

26 Occurred: Chs. 217 and 218, Acts of 2000.

27 21–2A–01.

28 (c) The Council consists of the following members:

29 (8) Four pharmacists, appointed by the Secretary after consultation  
30 with the Maryland Pharmacists Association, the Maryland Association of Chain Drug

1 Stores, **THE** University of Maryland School of Pharmacy, and any other appropriate  
2 organization:

3 (i) Three of whom represent the perspective of independent and  
4 chain pharmacies and pharmacists; and

5 (ii) One of whom represents the perspective of hospital  
6 outpatient pharmacies;

7 DRAFTER'S NOTE:

8 Error: Omitted article in § 21–2A–01(c)(8) of the Health – General Article.

9 Occurred: Ch. 276, Acts of 2008.

10 21–301.

11 (h) (2) “Food service facility” does not include:

12 (i) A kitchen in a private home where food is prepared at no  
13 charge for guests in the home, for guests at a social gathering, or for service to  
14 unemployed, [homeless] **HOMELESS**, or other disadvantaged populations; or

15 (ii) A food preparation or serving area where only  
16 nonpotentially hazardous food, as defined by the United States Food and Drug  
17 Administration, is prepared or served only by an excluded organization.

18 DRAFTER'S NOTE:

19 Error: Omitted comma in § 21–301(h)(2)(i) of the Health – General Article.

20 Occurred: Ch. 297, Acts of 1987.

21 21–302.

22 This subtitle does not apply to the manufacture of milk, milk products as  
23 defined in § 21–401 of this [title] **TITLE**, or frozen desserts as defined in § 21–801 of  
24 this title.

25 DRAFTER'S NOTE:

26 Error: Omitted comma in § 21–302 of the Health – General Article.

27 Occurred: Ch. 297, Acts of 1987.

28 21–304.

1 (a) (2) For excluded organizations, the Department:

2 (ii) May adopt separate regulations that establish a licensing  
3 system, with appropriate standards, that excluded organizations may voluntarily  
4 choose to submit to as a nonrescindable alternative to regulation under  
5 [subparagraph] ITEM (i) of this paragraph.

6 DRAFTER'S NOTE:

7 Error: Stylistic error in § 21–304(a)(2)(ii) of the Health – General Article.

8 Occurred: Ch. 297, Acts of 1987.

9 21–316.

10 (a) Except as otherwise provided in Title 10, Subtitles 2 and [4] 3 of the  
11 State Government Article, before the Department takes any final action under  
12 § 21–311 or § 21–315 of this subtitle, the Secretary shall give the person against whom  
13 the action is contemplated an opportunity for a hearing before the Department.

14 DRAFTER'S NOTE:

15 Error: Erroneous cross-reference in § 21–316(a) of the Health – General Article.

16 Occurred: Ch. 6, Acts of 1988.

17 21–318.

18 (a) If the Department believes that a person is violating any provision of this  
19 subtitle or [of] any regulation adopted under this subtitle, the Department may have  
20 the person served with a written order that directs the person served to abate the  
21 violation within a time specified in the order.

22 DRAFTER'S NOTE:

23 Error: Extraneous language in § 21–318(a) of the Health – General Article.

24 Occurred: Ch. 297, Acts of 1987.

25 21–323.1.

26 (c) Each bed and breakfast establishment that intends to serve hot meals to  
27 renters shall be:

28 (1) Licensed in accordance with § 21–305 of this subtitle; and



1           (2)    [Is subject] **SUBJECT** to State and local health regulations that  
2 govern food safety and contamination.

3           DRAFTER'S NOTE:

4           Error: Extraneous language in § 21–323.1(c)(2) of the Health – General Article.

5           Occurred: Ch. 312, Acts of 2004.

6   21–1111.

7           (b)    A person may not sell, distribute, or otherwise dispose of any drug,  
8 medicine, pharmaceutical preparation, or [medical] **MEDICINAL** preparation by  
9 means of a vending machine or other similar device.

10          DRAFTER'S NOTE:

11          Error: Incorrect word usage in § 21–1111(b) of the Health – General Article.

12          Occurred: Ch. 21, Acts of 1982.

13   21–1204.

14          (a)    A person who violates any provision of the following sections is guilty of a  
15 misdemeanor and on conviction is subject to a fine not exceeding \$100:

16               (1)    § 21–820 of this title[.]; **AND**

17               (2)    § 21–1111 of this title.

18          DRAFTER'S NOTE:

19          Error: Stylistic error in § 21–1204(a)(1) of the Health – General Article.

20          Occurred: Ch. 240, Acts of 1982.

21   21–1214.

22          (b)    In addition to any criminal penalties imposed under this section, a person  
23 who violates any provision of Subtitle 3 of this title or any rule or regulation adopted  
24 under Subtitle 3 of this title or any term, [condition] **CONDITION**, or limitation of any  
25 license or registration issued under Subtitle 3 of this title:

26               (1)    Is liable for a civil penalty not exceeding \$5,000, to be collected in a  
27 civil action in the District Court for any county; and

28               (2)    May be enjoined from continuing the violation.

1 DRAFTER'S NOTE:

2 Error: Omitted comma in § 21–1214(b) of the Health – General Article.

3 Occurred: Ch. 297, Acts of 1987.

4 24–803.

5 The Program shall:

6 (6) Educate injecting drug users on the dangers of contracting the HIV  
7 infection or the [Hepatitis] HEPATITIS B virus through needle–sharing practices and  
8 unsafe sexual behaviors;

9 DRAFTER'S NOTE:

10 Error: Capitalization error in § 24–803(6) of the Health–General Article.

11 Occurred: Ch. 360, Acts of 1994.

12 24–806.

13 (b) With the advice and approval of the oversight committee, the Baltimore  
14 City Health Department shall develop and implement a plan for Program evaluation  
15 that shall include the following issues:

16 (6) The impact of the Program on risk behaviors for the transmission  
17 of the HIV infection, the [Hepatitis] HEPATITIS B virus, and other  
18 life–threatening blood–borne diseases among injecting drug users;

19 DRAFTER'S NOTE:

20 Error: Capitalization error in § 24–806(b)(6) of the Health – General Article.

21 Occurred: Ch. 360, Acts of 1994.

22 24–903.

23 The Program shall:

24 (6) Educate injecting drug users on the dangers of contracting the HIV  
25 infection or the [Hepatitis] HEPATITIS B virus through needle–sharing practices and  
26 unsafe sexual behaviors;

27 DRAFTER'S NOTE:

1 Error: Capitalization error in § 24–903(6) of the Health – General Article.

2 Occurred: Ch. 251, Acts of 1998.

3 24–1203.

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

5 (iii) One member shall represent the Department of Public  
6 Safety and [Corrections] **CORRECTIONAL SERVICES;**

7 DRAFTER’S NOTE:

8 Error: Misnomer in § 24–1203(b)(2)(iii) of the Health – General Article.

9 Occurred: Ch. 390, Acts of 2004.

10 24–1406.

11 (g) (2) (ii) 1. Except as provided in [item] **SUBSUBPARAGRAPH 2**  
12 of this [item] **SUBPARAGRAPH**, a lien takes effect on the date a notice of lien is  
13 recorded.

14 DRAFTER’S NOTE:

15 Error: Stylistic error in § 24–1406(g)(2)(ii)1 of the Health – General Article.

16 Occurred: Ch. 412, Acts of 2005.

## 17 **Article – Health Occupations**

18 1–207.

19 The Department, in consultation with the Medical and Chirurgical Faculty of  
20 Maryland, the Maryland Hospital Association, the Maryland Association of Health  
21 Maintenance Organizations, the Health Facilities Association of Maryland, the  
22 Maryland Association of Nonprofit Homes for the Aging, the Maryland State Dental  
23 Association, the Maryland Nurses Association, the Maryland Funeral Directors  
24 Association, the Maryland Podiatrists Association, the affected boards, the Association  
25 for Practitioners for Infection Control, and a consumer of health care services, shall  
26 develop a notice written in layman’s language that explains the Centers for Disease  
27 [Control’s] **CONTROL AND PREVENTION’S** guidelines on universal precautions.

28 DRAFTER’S NOTE:

29 Error: Misnomer in § 1–207 of the Health Occupations Article.

1 Occurred: As a result of changes in federal law enacted by P.L. 102–531 (1992).

2 3–5A–11.

3 (a) Subject to the hearing provisions of § 3–315 of this title, the Board may  
4 deny a license or registration to any applicant, reprimand any licensee or registration  
5 holder, place any licensee or registration holder on probation, or suspend or revoke the  
6 license of a licensee or the registration of a registration holder if the applicant,  
7 licensee, or registration holder:

8 (16) Except in an emergency life–threatening situation where it is not  
9 feasible or practicable, fails to comply with the Centers for Disease [Control’s]  
10 **CONTROL AND PREVENTION’S** guidelines on universal precautions;

11 DRAFTER’S NOTE:

12 Error: Misnomer in § 3–5A–11(a)(16) of the Health Occupations Article.

13 Occurred: Ch. 678, Acts of 1996.

14 4–205.

15 (a) In addition to the powers set forth elsewhere in this title, the Board may:

16 (6) On receipt of a written and signed complaint, including a referral  
17 from the Commissioner of Labor and Industry, conduct an unannounced inspection of  
18 the office of a dentist, other than an office of a dentist in a hospital, related institution,  
19 freestanding medical facility, or a freestanding birthing center, to determine  
20 compliance at that office with the Centers for Disease [Control’s] **CONTROL AND**  
21 **PREVENTION’S** guidelines on universal precautions; and

22 DRAFTER’S NOTE:

23 Error: Misnomer in § 4–205(a)(6) of the Health Occupations Article.

24 Occurred: As a result of changes in federal law enacted by P.L. 102–531 (1992).

25 4–315.

26 (a) Subject to the hearing provisions of § 4–318 of this subtitle, the Board  
27 may deny a general license to practice dentistry, a limited license to practice dentistry,  
28 or a teacher’s license to practice dentistry to any applicant, reprimand any licensed  
29 dentist, place any licensed dentist on probation, or suspend or revoke the license of  
30 any licensed dentist, if the applicant or licensee:

1           (28) Except in an emergency life-threatening situation where it is not  
2 feasible or practicable, fails to comply with the Centers for Disease [Control's]  
3 **CONTROL AND PREVENTION'S** guidelines on universal precautions;

4           (b) Subject to the hearing provisions of § 4-318 of this subtitle, the Board  
5 may deny a general license to practice dental hygiene, a teacher's license to practice  
6 dental hygiene, or a temporary license to practice dental hygiene to any applicant,  
7 reprimand any licensed dental hygienist, place any licensed dental hygienist on  
8 probation, or suspend or revoke the license of any licensed dental hygienist, if the  
9 applicant or licensee:

10           (16) Except in an emergency life-threatening situation where it is not  
11 feasible or practicable, fails to comply with the Centers for Disease [Control's]  
12 **CONTROL AND PREVENTION'S** guidelines on universal precautions; or

13           DRAFTER'S NOTE:

14           Error: Misnomer in § 4-315(a)(28) and (b)(16) of the Health Occupations Article.

15           Occurred: As a result of changes in federal law enacted by P.L. 102-531 (1992).

16           4-403.

17           (d) The Board shall publish:

18           (1) An approved standard work authorization form; and

19           (2) An approved standard subcontracted work authorization form that  
20 is of a color different [than] **FROM** the standard work authorization form.

21           DRAFTER'S NOTE:

22           Error: Grammatical error in § 4-403(d)(2) of the Health Occupations Article.

23           Occurred: Ch. 8, Acts of 1981.

24           4-501.

25           (b) For purposes of this section, a dental review committee is:

26           (7) Any person, including a professional standard review organization,  
27 [who] **THAT** contracts with an agency of this State or of the federal government to  
28 perform any of the functions listed in subsection (c) of this section; or

29           (8) Any person [who] **THAT** contracts with a provider of dental care to  
30 perform any of those functions listed in subsection (c) of this section that are limited to  
31 the review of services provided by the provider of dental care.

1 DRAFTER'S NOTE:

2 Error: Grammatical errors in § 4–501(b)(7) and (8) of the Health Occupations  
3 Article.

4 Occurred: Ch. 8, Acts of 1981.  
5 7–205.

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

8 (9) On receipt of a written and signed complaint, including a referral  
9 from the Commissioner of Labor and Industry, to conduct an unannounced inspection  
10 of the funeral establishment to determine compliance at that funeral establishment  
11 with the Centers for Disease [Control's] **CONTROL AND PREVENTION'S** guidelines  
12 on universal precautions;

13 DRAFTER'S NOTE:

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

15 Occurred: As a result of changes in federal law enacted by P.L. 102–531 (1992).  
16 7–316.

17 (a) Subject to the hearing provisions of § 7–319 of this subtitle and except as  
18 to a funeral establishment license, the Board may deny a license to any applicant,  
19 reprimand any licensee, place any licensee on probation, or suspend or revoke any  
20 license if the applicant or licensee:

21 (28) Except in an emergency life–threatening situation where it is not  
22 feasible or practicable, fails to comply with the Centers for Disease [Control's]  
23 **CONTROL AND PREVENTION'S** guidelines on universal precautions;

24 DRAFTER'S NOTE:

25 Error: Misnomer in § 7–316(a)(28) of the Health Occupations Article.

26 Occurred: As a result of changes in federal law enacted by P.L. 102–531 (1992).  
27 8–205.

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

1 (14) On receipt of a written and signed complaint, including a referral  
2 from the Commissioner of Labor and Industry, conduct an unannounced inspection of  
3 the office of a nurse in independent practice, other than an office of a nurse in  
4 independent practice in a hospital, related institution, freestanding medical facility, or  
5 a freestanding birthing center, to determine compliance at that office with the Centers  
6 for Disease [Control's] **CONTROL AND PREVENTION'S** guidelines on universal  
7 precautions; and

8 DRAFTER'S NOTE:

9 Error: Misnomer in § 8–205(a)(14) of the Health Occupations Article.

10 Occurred: As a result of changes in federal law enacted by P.L. 102–531 (1992).

11 8–316.

12 (a) Subject to the hearing provisions of § 8–317 of this subtitle, the Board  
13 may deny a license or grant a probationary license to any applicant, reprimand any  
14 licensee, place any licensee on probation, or suspend or revoke the license of a licensee  
15 if the applicant or licensee:

16 (15) Except in an emergency life–threatening situation where it is not  
17 feasible or practicable, fails to comply with the Centers for Disease [Control's]  
18 **CONTROL AND PREVENTION'S** guidelines on universal precautions;

19 DRAFTER'S NOTE:

20 Error: Misnomer in § 8–316(a)(15) of the Health Occupations Article.

21 Occurred: As a result of changes in federal law enacted by P.L. 102–531 (1992).

22 8–6A–10.

23 (a) Subject to the hearing provisions of § 8–317 of this title, the Board may  
24 deny a certificate or issue a probationary certificate to any applicant, reprimand any  
25 certificate holder, place any certificate holder on probation, or suspend or revoke the  
26 certificate of a certificate holder, if the applicant or certificate holder:

27 (23) Except in an emergency life–threatening situation where it is not  
28 feasible or practicable, fails to comply with the Centers for Disease [Control's]  
29 **CONTROL AND PREVENTION'S** guidelines on universal precautions;

30 DRAFTER'S NOTE:

31 Error: Misnomer in § 8–6A–10(a)(23) of the Health Occupations Article.

32 Occurred: Ch. 393, Acts of 1998.

1 8-6B-06.

2 In addition to the powers set forth elsewhere in this subtitle, the Committee  
3 shall:

4 (10) At the request of the Board, after the Board has received a written  
5 and signed complaint, including a referral from the Commissioner of Labor and  
6 Industry, conduct an unannounced inspection of the office of an electrologist, other  
7 than an office of an electrologist in a hospital, related institution, freestanding medical  
8 facility, or a freestanding birthing center, to determine compliance at that office with  
9 the Centers for Disease [Control's] **CONTROL AND PREVENTION'S** guidelines on  
10 universal precautions and make recommendations to the Board, as necessary;

11 DRAFTER'S NOTE:

12 Error: Misnomer in § 8-6B-06(10) of the Health Occupations Article.

13 Occurred: Ch. 422, Acts of 2003.

14 8-6B-18.

15 (a) Subject to the hearing provisions of § 8-317 of this title and § 8-6B-19 of  
16 this subtitle, the Board may deny a license to an applicant, grant a probationary  
17 license to an applicant, reprimand a licensee, place a licensee on probation, or suspend  
18 or revoke a license if the applicant or licensee:

19 (24) Except in an emergency life-threatening situation where it is not  
20 feasible or practicable, fails to comply with the Centers for Disease [Control's]  
21 **CONTROL AND PREVENTION'S** guidelines on universal precautions;

22 DRAFTER'S NOTE:

23 Error: Misnomer in § 8-6B-18(a)(24) of the Health Occupations Article.

24 Occurred: Ch. 422, Acts of 2003.

25 9-302.

26 (d) (1) The applicant shall:

27 (i) 1. Have a baccalaureate or [masters] **MASTER'S** degree  
28 in health care administration from an accredited college or university; or

29 2. A. Have a baccalaureate or [masters] **MASTER'S**  
30 degree in a field other than health care administration from an accredited college or  
31 university; and



1 B. Have satisfactorily completed a minimum of 100  
2 hours in a course of study in health care administration approved by the Board; and

3 DRAFTER'S NOTE:

4 Error: Grammatical errors in § 9–302(d)(1)(i) of the Health Occupations Article.

5 Occurred: Ch. 656, Acts of 1990.

6 10–101.

7 (l) “Occupational therapy” means the therapeutic use of purposeful and  
8 meaningful goal-directed activities to evaluate, consult, and treat individuals [that]  
9 **WHO:**

10 (1) Have a disease or disorder, impairment, activity limitation, or  
11 participation restriction that interferes with their ability to function independently in  
12 daily life roles; or

13 (2) Benefit from the prevention of impairments and activity  
14 limitations.

15 DRAFTER'S NOTE:

16 Error: Grammatical error in § 10–101(l) of the Health Occupations Article.

17 Occurred: Ch. 412, Acts of 2000.

18 12–101.

19 (i) (2) “Distribute” does not include the operations of a person who holds  
20 a permit issued under [§ 12–602] **§ 12–6C–03** of this title.

21 DRAFTER'S NOTE:

22 Error: Obsolete internal reference in § 12–101(i)(2) of the Health Occupations  
23 Article.

24 Occurred: As a result of Chs. 352 and 353, Acts of 2007. Correction by the  
25 publisher of the Annotated Code in the 2009 Replacement Volume of the Health  
26 Occupations Article is ratified by this Act.

27 12–6B–11.

28 (a) Unless the Board agrees to accept the surrender of a pharmacy  
29 technician's registration, a registered pharmacy technician may not surrender the

1 pharmacy technician's registration nor may the pharmacy technician's registration  
2 lapse by operation of law while the registered pharmacy technician is under  
3 investigation or while charges are pending against [a] THE registered pharmacy  
4 technician.

5 DRAFTER'S NOTE:

6 Error: Incorrect word usage in § 12-6B-11(a) of the Health Occupations Article.

7 Occurred: Ch. 523, Acts of 2006.

8 14-205.

9 (a) (1) In addition to the powers set forth elsewhere in this title, the  
10 Board may:

11 (iv) On receipt of a written and signed complaint, including a  
12 referral from the Commissioner of Labor and Industry, conduct an unannounced  
13 inspection of the office of a physician or acupuncturist, other than an office of a  
14 physician or acupuncturist in a hospital, related institution, freestanding medical  
15 facility, or a freestanding birthing center, to determine compliance at that office with  
16 the Centers for Disease [Control's] **CONTROL AND PREVENTION'S** guidelines on  
17 universal precautions; and

18 DRAFTER'S NOTE:

19 Error: Misnomer in § 14-205(a)(1)(iv) of the Health Occupations Article.

20 Occurred: As a result of changes in federal law enacted by P.L. 102-531 (1992).

21 14-404.

22 (a) Subject to the hearing provisions of § 14-405 of this subtitle, the Board,  
23 on the affirmative vote of a majority of the quorum, may reprimand any licensee, place  
24 any licensee on probation, or suspend or revoke a license if the licensee:

25 (31) Except in an emergency life-threatening situation where it is not  
26 feasible or practicable, fails to comply with the Centers for Disease [Control's]  
27 **CONTROL AND PREVENTION'S** guidelines on universal precautions;

28 DRAFTER'S NOTE:

29 Error: Misnomer in § 14-404(a)(31) of the Health Occupations Article.

30 Occurred: As a result of changes in federal law enacted by P.L. 102-531 (1992).

31 14-504.

1 (g) Subject to the hearing provisions of § 14–405 of this title, the Board, on  
2 the affirmative vote of a majority of its quorum, may reprimand or place a physician  
3 who performs acupuncture on probation or suspend or revoke the registration of a  
4 physician for:

5 (2) Except in an emergency life–threatening situation where it is not  
6 feasible or practicable, fails to comply with the Centers for Disease [Control’s]  
7 **CONTROL AND PREVENTION’S** guidelines on universal precautions; or

8 DRAFTER’S NOTE:

9 Error: Misnomer in § 14–504(g)(2) of the Health Occupations Article.

10 Occurred: As a result of changes in federal law enacted by P.L. 102–531 (1992).

11 15–202.

12 (a) (4) The Board shall:

13 (i) Appoint the physician assistant members from a list of  
14 names submitted by:

15 1. The Maryland Academy of Physician Assistants; and

16 2. The State institutions of higher education with  
17 approved physician assistant programs;

18 (ii) Appoint the consumer member selected by the Secretary [of  
19 the Department of Health and Mental Hygiene]; and

20 (iii) Assign a physician member of the Board to serve as a voting  
21 Board representative at all meetings of the [Advisory] Committee.

22 DRAFTER’S NOTE:

23 Error: Stylistic errors in § 15–202(a)(4)(ii) and (iii) of the Health Occupations  
24 Article.

25 Occurred: Ch. 759, Acts of 1986.

26 15–205.

27 (b) (3) The Board may:

28 (iii) On receipt of a written and signed complaint, including a  
29 referral from the Commissioner of Labor and Industry, conduct an unannounced

1 inspection of the office of a physician assistant, other than an office of a physician  
2 assistant in a hospital, related institution, freestanding medical facility, or a  
3 freestanding birthing center, to determine compliance at that office with the Centers  
4 for Disease [Control's] **CONTROL AND PREVENTION'S** guidelines on universal  
5 precautions.

6 DRAFTER'S NOTE:

7 Error: Misnomer in § 15–205(b)(3)(iii) of the Health Occupations Article.

8 Occurred: As a result of changes in federal law enacted by P.L. 102–531 (1992).

9 15–314.

10 Subject to the hearing provisions of § 15–315 of this subtitle, the Board, on the  
11 affirmative vote of a majority of its members then serving, may reprimand any  
12 certificate holder or suspend or revoke a certificate if the certificate holder:

13 (7) Except in an emergency life–threatening situation where it is not  
14 feasible or practicable, fails to comply with the Centers for Disease [Control's]  
15 **CONTROL AND PREVENTION'S** guidelines on universal precautions; or

16 DRAFTER'S NOTE:

17 Error: Misnomer in § 15–314(7) of the Health Occupations Article.

18 Occurred: As a result of changes in federal law enacted by P.L. 102–531 (1992).

19 16–205.

20 (b) In addition to the duties set forth elsewhere in this title, the Board shall:

21 (4) Conduct an unannounced inspection of the office of a podiatrist,  
22 other than an office of a podiatrist in a hospital, related institution, freestanding  
23 medical facility, or a freestanding birthing center, to determine compliance at that  
24 office with the Centers for Disease [Control's] **CONTROL AND PREVENTION'S**  
25 guidelines on universal precautions.

26 DRAFTER'S NOTE:

27 Error: Misnomer in § 16–205(b)(4) of the Health Occupations Article.

28 Occurred: As a result of changes in federal law enacted by P.L. 102–531 (1992).

29 16–311.

1 (a) Subject to the hearing provisions of § 16–313 of this subtitle, the Board,  
 2 on the affirmative vote of a majority of its members then serving, may deny a license  
 3 or a limited license to any applicant, reprimand any licensee or holder of a limited  
 4 license, impose an administrative monetary penalty not exceeding \$50,000 on any  
 5 licensee or holder of a limited license, place any licensee or holder of a limited license  
 6 on probation, or suspend or revoke a license or a limited license if the applicant,  
 7 licensee, or holder:

8 (25) Except in an emergency life–threatening situation where it is not  
 9 feasible or practicable, fails to comply with the Centers for Disease [Control’s]  
 10 **CONTROL AND PREVENTION’S** guidelines on universal precautions;

11 DRAFTER’S NOTE:

12 Error: Misnomer in § 16–311(a)(25) of the Health Occupations Article.

13 Occurred: As a result of changes in federal law enacted by P.L. 102–531 (1992).

#### 14 Article – Human Services

15 1–202.

16 (c) A report or record concerning child abuse or neglect:

17 (2) may be disclosed by the [State Department of Education]  
 18 **DEPARTMENT OF HUMAN RESOURCES** to the operator of a child care center that is  
 19 required to be licensed or to hold a letter of compliance under Title 5, Subtitle 5, Part  
 20 VII of the Family Law Article or to a family day care provider who is required to be  
 21 registered under Title 5, Subtitle 5, Part V of the Family Law Article, to determine the  
 22 suitability of an individual for employment in the child care center or family day care  
 23 home.

24 DRAFTER’S NOTE:

25 Error: Erroneous agency name in § 1–202(c)(2) of the Human Services Article.

26 Occurred: As a result of Ch. 25, § 12, Acts of 2005, under the authority of which  
 27 this error was made in attempting to conform to changes enacted by Chs. 359 and 585,  
 28 Acts of 2005. Correction suggested by the Office of the Attorney General, Counsel to  
 29 the General Assembly.

#### 30 Article – Insurance

31 8–605.1.

32 (c) A viatical settlement broker shall submit to the viator all offers,  
 33 [counter–offers] **COUNTEROFFERS**, acceptances, and rejections relating to the

1 placement of the viator's policy within 72 hours after receipt by the viatical settlement  
2 broker.

3 DRAFTER'S NOTE:

4 Error: Extraneous hyphen in § 8-605.1(c) of the Insurance Article.

5 Occurred: Ch. 146, Acts of 2006.

6 9-229.1.

7 (a) (7) (i) "Repurchase agreement" or "reverse repurchase agreement"  
8 means an agreement, including related terms, that provides for the transfer of  
9 certificates of deposit, eligible bankers' acceptances, or securities that are direct  
10 obligations of, or that are fully guaranteed as to principal and interest by, the United  
11 States or an agency of the United States against the transfer of funds by the  
12 transferee of the certificates of deposit, eligible bankers' acceptances, or securities with  
13 a simultaneous agreement by the transferee to transfer to the transferor certificates of  
14 deposit, eligible bankers' acceptances, or securities as described above in this  
15 subparagraph [(i)] at a certain date not later than 1 year after the transfers or on  
16 demand, against the transfer of funds.

17 DRAFTER'S NOTE:

18 Error: Stylistic error in § 9-229.1(a)(7)(i) of the Insurance Article.

19 Occurred: Ch. 568, Acts of 2005.

20 10-705.

21 (a) A limited lines license to sell coverage under a policy of portable  
22 electronics insurance to a customer issued under this subtitle authorizes a vendor or  
23 an authorized representative of the vendor to sell coverage under a policy of portable  
24 electronics insurance to customers in connection with, and incidental to, a portable  
25 electronics transaction at each location at which the vendor engages in portable  
26 electronics transactions in the State if:

27 (4) [(i)] the vendor provides a training program, approved by the  
28 Commissioner, for any employee or authorized representative who sells coverage  
29 under a policy of portable electronics insurance to customers under this subtitle that  
30 includes instruction:

31 [1.] (I) about the portable electronics insurance offered to  
32 customers of the vendor;

1 [2.] (II) that the employee or authorized representative may  
2 not represent or imply to a customer that purchase of coverage under a policy of  
3 portable electronics insurance is required in order to purchase portable electronics;

4 [3.] (III) that portable electronics insurance may duplicate  
5 insurance coverage already provided by a customer's homeowner's insurance policy,  
6 renter's insurance policy, or other source of insurance coverage; and

7 [4.] (IV) about the other disclosures required by item (3) of  
8 this subsection.

9 DRAFTER'S NOTE:

10 Error: Tabulation error in § 10-705(a)(4) of the Insurance Article.

11 Occurred: Chs. 316 and 317, Acts of 2009. Correction by the publisher of the  
12 Annotated Code in the 2009 Supplement of the Insurance Article is ratified by this  
13 Act.

14 10-708.

15 The Commissioner may adopt regulations to carry out this subtitle, including  
16 regulations **CONCERNING:**

17 (1) [concerning] the form and content of required disclosures to  
18 customers;

19 (2) the training requirements for employees and authorized  
20 representatives of vendors; and

21 (3) the qualifications of the individuals who provide training.

22 DRAFTER'S NOTE:

23 Error: Misplaced word in § 10-708 of the Insurance Article.

24 Occurred: Chs. 316 and 317, Acts of 2009. Correction by the publisher of the  
25 Annotated Code in the 2009 Supplement of the Insurance Article is ratified by this  
26 Act.

27 15-112.2.

28 (a) (4) [~~Fee-for-service dental provider panel~~] means a provider panel  
29 for one or more dental plan organizations, insurers, or nonprofit health service plans  
30 offering contracts only for dental services reimbursed on a full or discounted  
31 fee-for-service basis.] **“ENROLLEE” MEANS A PERSON ENTITLED TO HEALTH**  
32 **CARE BENEFITS FROM A CARRIER.**

1           (5)    [“Enrollee” means a person entitled to health care benefits from a  
2 carrier.] **“FEE-FOR-SERVICE DENTAL PROVIDER PANEL” MEANS A PROVIDER**  
3 **PANEL FOR ONE OR MORE DENTAL PLAN ORGANIZATIONS, INSURERS, OR**  
4 **NONPROFIT HEALTH SERVICE PLANS OFFERING CONTRACTS ONLY FOR DENTAL**  
5 **SERVICES REIMBURSED ON A FULL OR DISCOUNTED FEE-FOR-SERVICE BASIS.**

6           DRAFTER’S NOTE:

7           Error: Stylistic error (failure to codify terms in alphabetical order) in §  
8 15–112.2(a)(4) and (5) of the Insurance Article.

9           Occurred: Ch. 549, Acts of 2009.

10          15–403.2.

11          (c)    Each policy or contract subject to this section shall provide that the same  
12 health insurance benefits and eligibility guidelines that apply to any covered  
13 dependent are available to a domestic partner of an insured or a child dependent of the  
14 domestic partner of an insured at the request of:

15           (2)    the group [policy holder] **POLICYHOLDER** of a group policy or  
16 contract that is subject to this section.

17          (d)    An insurer, nonprofit health service plan, or health maintenance  
18 organization may require a group [policy holder] **POLICYHOLDER** that requests  
19 coverage for a domestic partner or child dependent of the domestic partner of an  
20 insured under subsection (c)(2) of this section to provide proof of the eligibility of the  
21 domestic partner or child dependent of the domestic partner for coverage under this  
22 section.

23          DRAFTER’S NOTE:

24          Error: Misspellings in § 15–403.2(c)(2) and (d) of the Insurance Article.

25          Occurred: Ch. 639, Acts of 2007.

26          15–409.

27          (d)    Continuation coverage under this section shall:

28           (3)    allow the payment of the amount specified in [paragraph] **ITEM (2)**  
29 of this subsection in monthly installments if the insured elects to do so;

30          DRAFTER’S NOTE:

31          Error: Stylistic error in § 15–409(d)(3) of the Insurance Article.



1 Occurred: Ch. 35, Acts of 1997.

2 15–817.

3 (c) (2) The minimum package of child wellness services shall cover at  
4 least:

5 (i) all visits for and costs of childhood and adolescent  
6 immunizations recommended by the Advisory Committee on Immunization Practices  
7 of the Centers for Disease Control **AND PREVENTION**;

8 DRAFTER’S NOTE:

9 Error: Misnomer in § 15–817(c)(2)(i) of the Insurance Article.

10 Occurred: As a result of changes in federal law enacted by P.L. 102–531 (1992).

11 19–807.

12 (c) (3) Portions of the Medical Assistance Program Account that exceed  
13 the amount provided under paragraph (2) of this subsection shall be used by the  
14 Secretary only to:

15 (iii) pay managed care organization health care providers  
16 consistent with the fee–for–service health **CARE** provider rates; and

17 DRAFTER’S NOTE:

18 Error: Omitted word in § 19–807(c)(3)(iii) of the Insurance Article.

19 Occurred: Ch. 1, Acts of 2005.

20 27–401.

21 (b) (2) “Claim” includes a demand for payment or benefit made against:

22 (i) the State under Title 12 of the State Government Article,  
23 [Title 8, Subtitle 1] **TITLE 2, SUBTITLE 5** of the State Personnel and Pensions  
24 Article, or Title 9 of the Labor and Employment Article; or

25 DRAFTER’S NOTE:

26 Error: Erroneous cross–reference in § 27–401(b)(2)(i) of the Insurance Article.

27 Occurred: Ch. 35, Acts of 1997.

1 27–402.

2 The provisions of this subtitle that apply to insurers also apply to:

3 (8) the State when a claim has been filed against the State under  
4 [Title 8, Subtitle 1] **TITLE 2, SUBTITLE 5** of the State Personnel and Pensions  
5 Article;

6 DRAFTER'S NOTE:

7 Error: Erroneous cross-reference in § 27–402(8) of the Insurance Article.

8 Occurred: Ch. 35, Acts of 1997.

9 27–605.

10 (b) (6) Except as provided in § 27–501 of this [article] **TITLE**, a request  
11 for additional information under this section does not stay the proposed action.

12 DRAFTER'S NOTE:

13 Error: Stylistic error in § 27–605(b)(6) of the Insurance Article.

14 Occurred: Ch. 580, Acts of 2006.

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

16 5–205.

17 (n) In addition to any other authority the Commissioner may exercise under  
18 this title, if, as a result of the exercise of the Commissioner's authority under the  
19 provisions of this title, the Commissioner has reason to believe that a health care  
20 provider required under the Health Occupations Article to comply with the Centers for  
21 Disease [Control's] **CONTROL AND PREVENTION'S** guidelines on universal  
22 precautions is not complying with those provisions, the Commissioner shall refer that  
23 suspected violation to the health care provider's licensing board.

24 (o) (1) In addition to any other authority the Commissioner may exercise  
25 under this title, if, as a result of the exercise of the Commissioner's authority under  
26 the provisions of this title, the Commissioner has reason to believe that an employee  
27 or member of the medical staff involved in patient care services of the hospital, related  
28 institution, freestanding medical facility, or freestanding birthing center is not  
29 complying with the Centers for Disease [Control's] **CONTROL AND PREVENTION'S**  
30 guidelines on universal precautions, the Commissioner shall refer that suspected  
31 violation to the chief executive officer of the hospital, related institution, freestanding  
32 medical facility, or freestanding birthing center.

1           (2) In addition to any other authority the Commissioner may exercise  
2 under this title, if, as a result of the exercise of the Commissioner's authority under  
3 the provisions of this title, the Commissioner has reasons to believe that a hospital,  
4 related institution, freestanding medical facility, or freestanding birthing center is  
5 demonstrating a willful and systematic disregard for the Centers for Disease  
6 [Control's] **CONTROL AND PREVENTION'S** guidelines on universal precautions, the  
7 Commissioner shall refer that suspected violation to:

8                   (i) the Department of Health and Mental Hygiene; and

9                   (ii) the chief executive officer of the hospital, related institution,  
10 freestanding medical facility, or freestanding birthing center.

11           **DRAFTER'S NOTE:**

12           Error: Misnomer in § 5-205(n) and (o)(1) and (2) of the Labor and Employment  
13 Article.

14           Occurred: As a result of changes in federal law enacted by P.L. 102-531 (1992).

15                           **Article – Natural Resources**

16           3-104.

17           (m) To enter into contracts with the federal or any state government, or any  
18 unit, instrumentality, or subdivision thereof, or with any municipality or person  
19 within or without the State, providing for or relating to the furnishing of services to or  
20 the facilities of any project of the Service, or in connection with the services or  
21 facilities provided by any water supply project, solid waste project, wastewater  
22 purification project, or energy project owned or controlled by the other contracting  
23 party, including contracts for the construction and operation of any project in the State  
24 or in any other state. These contracts may make provision for:

25                   (1) The payment by the other contracting party to the Service of a  
26 fixed amount for the collection, processing, treatment, storage, transporting, use, or  
27 disposal of a stated amount of solid waste (whether or not the stated amount of solid  
28 waste is collected, processed, treated, stored, transported, **USED**, or disposed of), or of  
29 all or any portion of the operating expenses of one or more projects;

30           **DRAFTER'S NOTE:**

31           Error: Omitted word in § 3-104(m)(1) of the Natural Resources Article.

32           Occurred: Ch. 183, Acts of 2009.

33           4-204.

1           (a)   (3)   Up to eleven commercial watermen and one member of the  
2 **[Sports] SPORT** Fisheries Advisory Commission shall comprise the Commission.

3           DRAFTER'S NOTE:

4           Error: Misnomer in § 4–204(a)(3) of the Natural Resources Article.

5           Occurred: Ch. 616, Acts of 1980.

6   4–710.

7           (e)   A person may not set any anchored gill net or fyke or hoop net or any line  
8 of these nets which has a length more than one third the distance across the waters of  
9 the bay, sound, river, creek, cove, or inlet where it is set, or is set so that it impedes or  
10 obstructs navigation on or blocks in any way the main channel of the bay, sound, river,  
11 creek, **[cove] COVE**, or inlet. The outer end of the submerged gear of any nets referred  
12 to in this subsection shall be marked by means of a paddle, a board, or a buoy or other  
13 floating device which shows the name and license number of the net owner.

14          DRAFTER'S NOTE:

15          Error: Omitted comma in § 4–710(e) of the Natural Resources Article.

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

17   5–102.

18          (a)   The General Assembly finds that:

19               (1)   Forests, streams, valleys, wetlands, parks, **AND** scenic, **[historic]**  
20 **HISTORIC**, and recreation areas of the State are basic assets and their proper use,  
21 development, and preservation are necessary to protect and promote the health,  
22 safety, economy, and general welfare of the people of the State;

23          DRAFTER'S NOTE:

24          Error: Omitted conjunction and comma in § 5–102(a)(1) of the Natural  
25 Resources Article.

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

27   5–304.

28          An applicant for cost–share assistance shall:

29               (2)   File an application with the Department stating:

1 (iii) A description of the land or lands upon which the practice is  
2 to be implemented; [and]

3 DRAFTER'S NOTE:

4 Error: Extraneous conjunction in § 5-304(2)(iii) of the Natural Resources  
5 Article.

6 Occurred: Ch. 620, Acts of 1986.

7 5-307.

8 (g) The Department shall use the Fund:

9 (3) To offset the costs of the Forest **AND PARK** Service for developing  
10 and approving forest stewardship plans on privately owned forest lands;

11 DRAFTER'S NOTE:

12 Error: Misnomer in § 5-307(g)(3) of the Natural Resources Article.

13 Occurred: Ch. 175, Acts of 2009.

14 8-1808.

15 (d) (4) (ii) 1. Based on competent and substantial evidence, a local  
16 jurisdiction shall make written findings as to whether the applicant has overcome the  
17 presumption established under paragraph [(3)(i)] **(3)(II)** of this subsection.

18 DRAFTER'S NOTE:

19 Error: Incorrect internal reference in § 8-1808(d)(4)(ii)1 of the Natural  
20 Resources Article.

21 Occurred: Chs. 650 and 651, Acts of 2009.

22 **Article – Public Safety**

23 1-202.

24 (b) (2) For fiscal year 2009, and for each following fiscal year, the death  
25 benefit provided in the prior fiscal year shall be adjusted by any change in the  
26 calendar year preceding the fiscal year in the Consumer Price Index [(all urban  
27 customers – United States city average – all items)] **(ALL URBAN CONSUMERS –  
28 UNITED STATES CITY AVERAGE – ALL ITEMS)**, as published by the United States  
29 Bureau of Labor Statistics.

1 DRAFTER'S NOTE:

2 Error: Capitalization errors and erroneous word in § 1-202(b)(2) of the Public  
3 Safety Article.

4 Occurred: Ch. 327, Acts of 1998.

5 **Article – Real Property**

6 7-401.

7 (d) “Mortgage fraud” means any action by a person made with the intent to  
8 defraud that involves:

9 (4) Receiving any proceeds or any other funds in connection with a  
10 mortgage closing that the person knows resulted from a violation of item (1), (2), or (3)  
11 of this [section] **SUBSECTION**;

12 (5) Conspiring to violate any of the provisions of item (1), (2), (3), or (4)  
13 of this [section] **SUBSECTION**; or

14 DRAFTER'S NOTE:

15 Error: Stylistic error in § 7-401(d)(4) and (5) of the Real Property Article.

16 Occurred: Chs. 3 and 4, Acts of 2008.

17 8-110.1.

18 (a) (8) “Redeemable ground rent” means a ground rent that may be  
19 redeemed in accordance with this section or redeemed or extinguished in accordance  
20 with § 8-110[(g)](F) of this subtitle.

21 DRAFTER'S NOTE:

22 Error: Erroneous cross reference in § 8-110.1(a)(8) of the Real Property Article.

23 Occurred: As a result of Ch. 291, Acts of 2007.

24 11-102.2.

25 (c) The application for registration for a residential rental facility under §  
26 11-127 of this [subtitle] **TITLE** shall include, to the extent reasonably available, a list  
27 of all tenants whose leases were terminated during the 180-day period prior to the  
28 filing of the application for registration.

29 DRAFTER'S NOTE:

1 Error: Stylistic error in § 11–102.2(c) of the Real Property Article.

2 Occurred: Ch. 769, Acts of 1987.

3 11–108.1.

4 Except to the extent otherwise provided by the declaration or bylaws, and  
5 subject to § 11–114 of this [subtitle] TITLE, the council of unit owners is responsible  
6 for maintenance, repair, and replacement of the common elements, and each unit  
7 owner is responsible for maintenance, repair, and replacement of his unit.

8 DRAFTER’S NOTE:

9 Error: Stylistic error in § 11–108.1 of the Real Property Article.

10 Occurred: Chs. 522 and 523, Acts of 2009.

11 11–111.1.

12 (i) To the extent that this section is inconsistent with any other provision of  
13 this [subtitle] TITLE, this section shall take precedence over any inconsistent  
14 provision.

15 DRAFTER’S NOTE:

16 Error: Stylistic error in § 11–111.1(i) of the Real Property Article.

17 Occurred: Ch. 491, Acts of 1989.

18 11–114.

19 (g) (2) (iv) In the same manner as provided under § 11–110 of this  
20 [subtitle] TITLE, the council of unit owners may make an annual assessment against  
21 the unit owner responsible under subparagraph (iii) of this paragraph.

22 DRAFTER’S NOTE:

23 Error: Stylistic error in § 11–114(g)(2)(iv) of the Real Property Article.

24 Occurred: Ch. 694, Acts of 2001.

25 11–126.

26 (a) A contract for the initial sale of a unit to a member of the public is not  
27 enforceable by the vendor unless:

1           (2)    The contract of sale contains, in conspicuous type, a notice of:

2                   (ii)    The warranties provided by § 11–131 of this [subtitle]  
3 **TITLE.**

4           **DRAFTER’S NOTE:**

5           Error: Stylistic error in § 11–126(a)(2)(ii) of the Real Property Article.

6           Occurred: Ch. 131, Acts of 1991.

7   11–127.

8           (d)   (1)   (ii)   A public offering statement is current if the information  
9 required under § 11–126(b)(2), (4), (5), (6), and (12) of this [subtitle] **TITLE** is updated  
10 and filed by the developer not less than annually.

11           **DRAFTER’S NOTE:**

12           Error: Stylistic error in § 11–127(d)(1)(ii) of the Real Property Article.

13           Occurred: Ch. 66, Acts of 1999.

14   14–120.

15           (i)    Except as provided in [paragraph] **SUBSECTION** (g)(2) of this section, the  
16 court may order appropriate relief under subsection (g) of this section without proof  
17 that a defendant knew of the existence of the nuisance.

18           **DRAFTER’S NOTE:**

19           Error: Stylistic error in § 14–120(i) of the Real Property Article.

20           Occurred: Ch. 501, Acts of 2005.

21                                   **Article – State Finance and Procurement**

22   11–203.

23           (b)   (1)   The following provisions of this Division II apply to each  
24 procurement enumerated in subsection (a) of this section:

25                   (ii)    [§ 12–204] **§ 10–204** of this article ([“Board approval”]  
26 **“APPROVAL** for designated contracts”);

27           **DRAFTER’S NOTE:**



1 Error: Incorrect cross-reference in § 11–203(b)(1)(ii) of the State Finance and  
2 Procurement Article.

3 Occurred: Ch. 3, Acts of 1994. Correction by the publisher of the Annotated  
4 Code in the 2009 Replacement Volume of the State Finance and Procurement Article  
5 is ratified by this Act.

6 13–108.

7 (a) (1) Except as provided in § 11–205 (“Collusion”), § 10–204 (“Approval  
8 for designated contracts”), § 13–219 (“Required clauses – Nondiscrimination clause”), §  
9 13–221 (“Disclosures to Secretary of State”), Title 16 (“Suspension and Debarment of  
10 Contractors”), or Title 17 [of this article] (“Special Provisions – State and Local  
11 Subdivisions”) **OF THIS ARTICLE**, with the approval of the head of a unit, its  
12 procurement officer may make an emergency procurement by any method that the  
13 procurement officer considers most appropriate to avoid or mitigate serious damage to  
14 public health, safety, or welfare.

15 (b) (1) Except as provided in § 11–205 (“Collusion”), § 10–204 (“Approval  
16 for designated contracts”), § 13–219 (“Required clauses – Nondiscrimination clause”), §  
17 13–221 (“Disclosures to Secretary of State”), Title 16 (“Suspension and Debarment of  
18 Contractors”), or Title 17 [of this article] (“Special Provisions – State and Local  
19 Subdivisions”) **OF THIS ARTICLE**, with the approval of the head of the unit and the  
20 Board, the Maryland Port Commission or the Maryland Aviation Administration may  
21 make a procurement on an expedited basis if the head of the unit and the Board find  
22 that:

23 (i) urgent circumstances require prompt action;

24 (ii) an expedited procurement best serves the public interest;  
25 and

26 (iii) the need for the expedited procurement outweighs the  
27 benefits of making the procurement on the basis of competitive sealed bids or  
28 competitive sealed proposals.

29 **DRAFTER’S NOTE:**

30 Error: Misplaced phrase in § 13–108(a)(1) and (b)(1) of the State Finance and  
31 Procurement Article.

32 Occurred: Ch. 48, Acts of 1988.

33 14–401.

34 (d) (2) A unit may give a preference under this section that is identical to  
35 any of the following preferences, or any combination of them:

1 (ii) the preference that the state in which the nonresident  
2 bidder or nonresident offeror has its principal operation through which it would  
3 provide supplies or services **GIVES TO ITS RESIDENTS**.

4 **DRAFTER'S NOTE:**

5 Error: Omitted words in § 14-401(d)(2)(ii) of the State Finance and  
6 Procurement Article.

7 Occurred: Ch. 501, Acts of 1999.

8 14-305.

9 (a) (1) Within 90 days after the end of the fiscal year, each unit shall  
10 report to the Governor's Office of Minority Affairs, the certification agency, and,  
11 subject to § 2-1246 of the State Government Article, the Joint Committee on Fair  
12 Practices **AND PERSONNEL OVERSIGHT**.

13 **DRAFTER'S NOTE:**

14 Error: Misnomer in § 14-305(a)(1) of the State Finance and Procurement  
15 Article.

16 Occurred: Ch. 327, Acts of 2009.

17 **Article – State Government**

18 6-301.

19 (e) **["Homeowners"] "HOMEOWNER'S insurer"** means an insurer that issues  
20 or delivers a policy or contract of homeowner's insurance in the State.

21 (f) "Insurance consumers" means persons insured under policies or contracts  
22 of medical professional liability insurance, and **[homeowners] HOMEOWNER'S**  
23 insurance issued or delivered in the State by a medical professional liability insurer or  
24 a **[homeowners] HOMEOWNER'S insurer**.

25 (g) "Insurer" means a medical professional liability insurer or a  
26 **[homeowners] HOMEOWNER'S insurer** authorized to engage in the insurance business  
27 in the State under a certificate of authority issued by the Commissioner.

28 **DRAFTER'S NOTE:**

29 Error: Grammatical errors in § 6-301(e), (f), and (g) of the State Government  
30 Article.

1 Occurred: Ch. 1, Acts of 2005; Ch. 5, Acts of the Special Session of 2004.

2 6–304.

3 (a) The Commissioner shall:

4 (1) collect an annual assessment from each medical professional  
5 liability insurer and [homeowners] HOMEOWNER’S insurer for the costs and expenses  
6 incurred by the Division in carrying out its duties under this subtitle; and

7 (2) deposit the amounts collected into the People’s Insurance Counsel  
8 Fund established under § 6–305 of this subtitle.

9 (b) The assessment payable by a medical professional liability insurer or  
10 [homeowners] HOMEOWNER’S insurer is the product of the fraction obtained by  
11 dividing the gross direct premium written by the medical professional liability insurer  
12 or [homeowners] HOMEOWNER’S insurer in the prior calendar year by the total  
13 amount of gross direct premium written by all medical professional liability insurers  
14 or [homeowners] HOMEOWNER’S insurers in the prior calendar year, multiplied by  
15 the amount of the total costs and expenses under subsection (a)(1) of this section.

16 DRAFTER’S NOTE:

17 Error: Grammatical errors in § 6–304(a)(1) and (b) of the State Government  
18 Article.

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

20 6–306.

21 (a) (1) The Division shall evaluate each medical professional liability  
22 insurance and [homeowners] HOMEOWNER’S insurance matter pending before the  
23 Commissioner to determine whether the interests of insurance consumers are affected.

24 (b) (1) The Division shall review any rate increase of 10% or more filed  
25 with the Commissioner by a medical professional liability insurer or [homeowners]  
26 HOMEOWNER’S insurer.

27 DRAFTER’S NOTE:

28 Error: Grammatical errors in § 6–306(a)(1) and (b)(1) of the State Government  
29 Article.

30 Occurred: Ch. 1, Acts of 2005; Ch. 5, Acts of the Special Session of 2004.

31 6–307.

1 (c) (1) Except as otherwise provided in the Insurance Article and any  
2 applicable freedom of information act, the Division shall have full access to the  
3 Commissioner's records, including rate filings and supplementary rate information  
4 filed with the Commissioner by a medical professional liability insurer or  
5 [homeowners] HOMEOWNER'S insurer under Title 11 of the Insurance Article, and  
6 shall have the benefit of all other facilities or information of the Commissioner.

7 DRAFTER'S NOTE:

8 Error: Grammatical error in § 6-307(c)(1) of the State Government Article.

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

10 9-1A-01.

11 (m) "Family" means spouse, parents, grandparents, children, grandchildren,  
12 siblings, uncles, aunts, nephews, nieces, fathers-in-law, mothers-in-law,  
13 daughters-in-law, sons-in-law, brothers-in-law, and sisters-in-law, whether by  
14 whole blood or half blood, [by] marriage, adoption, or natural relationship.

15 DRAFTER'S NOTE:

16 Error: Extraneous word in § 9-1A-01(m) of the State Government Article.

17 Occurred: Ch. 4, Acts of the Special Session of 2007.

18 9-1A-03.

19 (b) This subtitle, including the authority provided to the Commission under  
20 this [subtitle] SUBTITLE, does not apply to:

21 (1) lotteries conducted under Subtitle 1 of this title;

22 (2) wagering on horse racing conducted under Title 11 of the Business  
23 Regulation Article;

24 (3) the operation of slot machines as provided under Titles 12 and 13  
25 of the Criminal Law Article; or

26 (4) other gaming conducted under Titles 12 and 13 of the Criminal  
27 Law Article.

28 DRAFTER'S NOTE:

29 Error: Omitted comma in § 9-1A-03(b) of the State Government Article.

30 Occurred: Ch. 4, Acts of the Special Session of 2007.

1 9-1A-07.

2 (c) (7) Applicants and licensees shall produce information,  
3 documentation, and assurances to establish the following qualification criteria by clear  
4 and convincing evidence:

5 (v) that:

6 2. the labor peace agreement is valid and enforceable  
7 under 29 U.S.C. § [185] **158**;

8 DRAFTER'S NOTE:

9 Error: Erroneous cross-reference in § 9-1A-07(c)(7)(v)2 of the State  
10 Government Article.

11 Occurred: Ch. 4, Acts of the Special Session of 2007. Correction recommended by  
12 the Office of the Attorney General, Counsel to the General Assembly.

13 9-1A-24.

14 (b) (2) Except as provided in paragraph [(3)] **(4)** of this subsection, a  
15 video lottery operation licensee may not provide food or alcoholic beverages to  
16 individuals at no cost.

17 DRAFTER'S NOTE:

18 Error: Erroneous internal reference in § 9-1A-24(b)(2) of the State Government  
19 Article.

20 Occurred: Ch. 4, Acts of the Special Session of 2007.

21 9-603.

22 (a) The Trust shall consist of the following voting members:

23 (1) the Governor;

24 (2) the President of the Senate;

25 (3) the Speaker of the House of Delegates;

26 (4) the Secretary [of the Department] of General Services; and

27 (5) the Director of the Maryland Historical Trust.

1 DRAFTER'S NOTE:

2 Error: Stylistic error in § 9–603(a)(4) of the State Government Article.

3 Occurred: Ch. 494, Acts of 1988.

4 9–604.

5 The Secretary [of the Department] of General Services is the Chairman of the  
6 Trust.

7 DRAFTER'S NOTE:

8 Error: Stylistic error in § 9–604 of the State Government Article.

9 Occurred: Ch. 494, Acts of 1988.

10 9–1008.

11 (b) The State Archivist:

12 (1) shall supervise and control the use of the State Hall of Records  
13 Building;

14 (2) may equip and furnish the Building in accordance with law; and

15 (3) subject to Title 2, Subtitles 4 and 5, Title 4, Subtitles 7 and 8, §§  
16 8–127, 8–128, and 8–129, Part V of Title 8, Subtitle 1, [Title 10 and] **TITLE 10**, Title  
17 12, Subtitle 2, and §§ 13–219 and 13–221 of the State Finance and Procurement  
18 Article, shall supervise and control the use of any other real or personal property that  
19 the State acquires for use of the Archives.

20 DRAFTER'S NOTE:

21 Error: Extraneous conjunction and omitted comma in § 9–1008(b)(3) of the State  
22 Government Article.

23 Occurred: Ch. 22, Acts of 1992.

24 9–2701.

25 (h) The Council shall:

26 (3) recommend one legislative proposal each legislative session  
27 concerning an issue included in [paragraph] **ITEM (2)** of this subsection for possible  
28 introduction; and

1 DRAFTER'S NOTE:

2 Error: Stylistic error in § 9–2701(h)(3) of the State Government Article.

3 Occurred: Ch. 559, Acts of 2008.

4 9.5–101.

5 (a) There is a Governor's Office of Community Initiatives, as authorized  
6 under Executive Order [01.01.07.2007.25] **01.01.2007.25**.

7 DRAFTER'S NOTE:

8 Error: Erroneous cross-reference in § 9.5–101(a) of the State Government  
9 Article.

10 Occurred: Ch. 521, Acts of 2008. Correction by the publisher of the Annotated  
11 Code in the 2009 Replacement Volume of the State Government Article is ratified by  
12 this Act.

13 9.5–308.

14 (b) Money received under subsection (a) of this section[,] and income and  
15 fees derived from educational materials and activities of the Commission are not  
16 subject to § 7–302 of the State Finance and Procurement Article.

17 DRAFTER'S NOTE:

18 Error: Extraneous comma in § 9.5–308(b) of the State Government Article.

19 Occurred: Ch. 3, Acts of 2007.

20 10–222.1.

21 (c) In an action seeking civil enforcement of an administrative [order]  
22 **ORDER**, a party shall name, as a defendant, each alleged violator against whom the  
23 party seeks to obtain civil enforcement.

24 DRAFTER'S NOTE:

25 Error: Omitted comma in § 10–222.1(c) of the State Government Article.

26 Occurred: Ch. 377, Acts of 2000.

27 10–1102.

1 (f) (1) "Vital documents" means all applications[,] or informational  
2 materials, notices, and complaint forms offered by State departments, agencies, and  
3 programs.

4 DRAFTER'S NOTE:

5 Error: Extraneous comma in § 10-1102(f)(1) of the State Government Article.

6 Occurred: Ch. 141, Acts of 2002.

7 10-1103.

8 (c) The provisions of this subtitle shall be fully implemented according to the  
9 following schedule:

10 [(i)] (1) on or before July 1, 2003, full implementation by:

11 [1.] (I) the Department of Human Resources;

12 [2.] (II) the Department of Labor, Licensing, and Regulation;

13 [3.] (III) the Department of Health and Mental Hygiene;

14 [4.] (IV) the Department of Juvenile Justice; and

15 [5.] (V) the Workers' Compensation Commission;

16 [(ii)] (2) on or before July 1, 2004, full implementation by:

17 [1.] (I) the Department of Aging;

18 [2.] (II) the Department of Public Safety and Correctional  
19 Services;

20 [3.] (III) the Department of Transportation, not including the  
21 Maryland Transit Administration;

22 [4.] (IV) the Maryland Human Relations Commission;

23 [5.] (V) the Department of State Police; and

24 [6.] (VI) five independent agencies, boards, or commissions, to  
25 be determined by the Secretary [of the Department] of Human Resources, in  
26 consultation with the Office of the Attorney General;

27 [(iii)] (3) on or before July 1, 2005, full implementation by:



- 1                   [1.] (I)       the Comptroller of Maryland;
- 2                   [2.] (II)       the Department of Housing and Community  
3 Development;
- 4                   [3.] (III)       the Maryland Transit Administration;
- 5                   [4.] (IV)       the Department of Natural Resources;
- 6                   [5.] (V)        the Maryland State Department of Education;
- 7                   [6.] (VI)       the Office of the Attorney General; and
- 8                   [7.] (VII)       five independent agencies, boards, or commissions to  
9 be determined by the Secretary [of the Department] of Human Resources, in  
10 consultation with the Office of the Attorney General; and

11                   [(iv)] (4)       on or before July 1, 2006, full implementation by:

- 12                   [1.] (I)        the Department of Agriculture;
- 13                   [2.] (II)       the Department of Business and Economic  
14 Development;
- 15                   [3.] (III)       the Department of Veterans Affairs;
- 16                   [4.] (IV)       the Department of the Environment; and
- 17                   [5.] (V)        five independent agencies, boards, or commissions to  
18 be determined by the Secretary [of the Department] of Human Resources, in  
19 consultation with the Office of the Attorney General.

20                   DRAFTER'S NOTE:

21                   Error: Tabulation error in § 10–1103(c); extraneous language in §  
22 10–1103(c)(ii)6, (iii)7, and (iv)5 of the State Government Article.

23                   Occurred: Ch. 141, Acts of 2002.

24                   20–401.

25                   This subtitle does not prohibit any person that is licensed or regulated by the  
26 Department of Labor, Licensing, and Regulation from refusing, withholding from, or  
27 denying accommodations, advantages, facilities, privileges, sales, or services to any  
28 person for failure to conform to the usual and regular requirements, standards, and

1 regulations of the licensed or regulated person, provided that the denial is not based  
2 on discrimination on the grounds of race, sex, color, creed, national origin, marital  
3 status, sexual orientation, **AGE**, or disability.

4 **DRAFTER'S NOTE:**

5 Error: Omitted word in § 20–401 of the State Government Article.

6 Occurred: As a result of Ch. 366, Acts of 2009. Correction is consistent with  
7 other changes enacted in Ch. 366, Acts of 2009. (See e.g. § 20–402 of the State  
8 Government Article.)

9 20–1013.

10 (d) If the court finds that [a discriminatory act] **AN UNLAWFUL**  
11 **EMPLOYMENT PRACTICE** occurred, the court may provide the remedies specified in §  
12 20–1009(b) of this subtitle.

13 **DRAFTER'S NOTE:**

14 Error: Obsolete language in § 20–1013(d) of the State Government Article.

15 Occurred: As a result of Ch. 367, Acts of 2009.

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

17 2–707.

18 (a) A member of a reserve component of the armed forces of the United  
19 States is eligible for the reinstatement rights and benefits specified in §§ 2–705 and  
20 2–706(a), (b), and (c) of this subtitle if the reservist:

21 (1) performed active duty for training of a nature and length that meet  
22 the requirements for eligibility under [Title 38 U.S.C. § 4304(c)] **TITLE 38 U.S.C. §**  
23 **4301 ET SEQ.;**

24 **DRAFTER'S NOTE:**

25 Error: Erroneous cross-reference in § 2–707(a)(1) of the State Personnel and  
26 Pensions Article.

27 Occurred: As a result of changes in federal law enacted under P.L. 103–353  
28 (1994).

29 3–202.

1 (f) In making appointments to the Board, the Governor shall ensure, to the  
2 extent practicable, that:

3 (1) the ratio of male [and] **TO** female members and the racial makeup  
4 of the Board is reflective of the general population of the State; and

5 DRAFTER'S NOTE:

6 Error: Grammatical error in § 3-202(f)(1) of the State Personnel and Pensions  
7 Article.

8 Occurred: Ch. 298, Acts of 1999.

9 3-2A-02.

10 (f) In making appointments to the Board, the Governor shall ensure, to the  
11 extent practicable, that:

12 (1) the ratio of male [and] **TO** female members and the racial makeup  
13 of the Board is reflective of the general population of the State; and

14 DRAFTER'S NOTE:

15 Error: Grammatical error in § 3-2A-02(f)(1) of the State Personnel and  
16 Pensions Article.

17 Occurred: Ch. 341, Acts of 2001.

18 21-306.

19 (e) (3) (iii) The assets to the credit of the participating governmental  
20 units as of the valuation date shall be increased by [the sum of] the outstanding  
21 [balances] **BALANCE** of[:

22 1.] the special accrued liability attributable to the  
23 participating governmental units under subsection (d) of this section[; and

24 2. the withdrawal liability attributable to the  
25 participating governmental units under paragraph (5) of this subsection].

26 DRAFTER'S NOTE:

27 Error: Obsolete item in § 21-306(e)(3)(iii) of the State Personnel and Pensions  
28 Article.

29 Occurred: As a result of Ch. 238, Acts of 2005.

1 22-406.

2 (n) On or before October 1 of each year, the State Superintendent of Schools  
3 shall submit a report for the previous school year, to the Joint Committee on Pensions,  
4 in accordance with § 2-1246 of the State Government Article, that provides:

5 (7) the percentage of student population [comprised] **COMPOSED** of  
6 children in poverty that is required to be present in a school in that school system in  
7 order for that school to qualify as a Title 1 school.

8 DRAFTER'S NOTE:

9 Error: Grammatical error in § 22-406(n)(7) of the State Personnel and Pensions  
10 Article.

11 Occurred: Ch. 443, Acts of 2007.

12 23-204.

13 (d) (2) An individual described in paragraph (1) of this subsection may  
14 elect membership in the Law Enforcement Officers' Pension System if the county  
15 employing the individual elects to become an eligible governmental unit in the Law  
16 Enforcement Officers' Pension System in accordance with [§ 31-2A-02 through  
17 § 31-2A-05] **§§ 31-2A-02 THROUGH 31-2A-05** of this article.

18 DRAFTER'S NOTE:

19 Error: Stylistic error in § 23-204(d)(2) of the State Personnel and Pensions  
20 Article.

21 Occurred: Ch. 334, Acts of 2007.

22 23-407.

23 (n) On or before October 1 of each year, the State Superintendent of Schools  
24 shall submit a report for the previous school year, to the Joint Committee on Pensions,  
25 in accordance with § 2-1246 of the State Government Article, that provides:

26 (7) the percentage of student population [comprised] **COMPOSED** of  
27 children in poverty that is required to be present in a school in that school system in  
28 order for that school to qualify as a Title 1 school.

29 DRAFTER'S NOTE:

30 Error: Grammatical error in § 23-407(n)(7) of the State Personnel and Pensions  
31 Article.

1 Occurred: Ch. 443, Acts of 2007.

2 38–103.

3 (d) (2) (ii) 2. Subject to subparagraph (i) of this paragraph and in  
4 addition to any service credit received under paragraph (1) of this subsection, a  
5 member of the Maryland National Guard who has been activated under Title 10 of the  
6 United States Code[,] and who is on active or inactive duty for training that interrupts  
7 the member’s service shall receive service credit at the rate of 4 months for each full  
8 year for military service, not to exceed a total of 36 months.

9 DRAFTER’S NOTE:

10 Error: Extraneous comma in § 38–103(d)(2)(ii)2 of the State Personnel and  
11 Pensions Article.

12 Occurred: Ch. 76, Acts of 2003.

13 **Article – Tax – General**

14 10–727.

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

16 (2) **“ADMINISTRATION” MEANS THE MARYLAND ENERGY**  
17 **ADMINISTRATION.**

18 (3) **“Bio–heating oil”** means heating oil with a blend of at least 5%  
19 biodiesel.

20 **[(3) “Administration” means the Maryland Energy Administration.]**

21 DRAFTER’S NOTE:

22 Error: Stylistic error (failure to codify defined terms in alphabetical order) in §  
23 10–727(a) of the Tax – General Article.

24 Occurred: Ch. 140, Acts of 2008.

25 **Article – Tax – Property**

26 8–401.

27 (f) A failure to send a notice of any change in value or classification within  
28 30 days after the date provided in subsection (e) of this section creates an irrebuttable

1 presumption that in the instances specified in subsection (b)(1) through (4) of this  
2 section [that] the prior value has not changed unless:

3 (1) the property has been transferred for consideration to new  
4 ownership during the previous calendar year;

5 (2) the zoning classification of the property changed during the  
6 current triennial cycle or the previous calendar year, whichever is earlier, resulting in  
7 an increased value of the property;

8 (3) a substantial change occurred in the use or character of the  
9 property during the current triennial cycle or the previous calendar year, whichever is  
10 earlier;

11 (4) extensive improvements have been made on the property during  
12 the current triennial cycle or the previous calendar year, whichever is earlier, as  
13 provided in § 8–104(c)(1)(iii) of this title;

14 (5) due to an error in calculating or measuring improvements on the  
15 property the assessment for the previous taxable year was clearly erroneous; or

16 (6) the assessment has been decreased.

17 DRAFTER'S NOTE:

18 Error: Extraneous language in § 8–401(f) of the Tax – Property Article.

19 Occurred: Ch. 171, Acts of 1986.

20 9–105.

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

22 (2) “ACTIVE MEMBER” MEANS:

23 (I) A SHAREHOLDER IN A FAMILY CORPORATION;

24 (II) A PARTNER IN A GENERAL PARTNERSHIP; OR

25 (III) A MEMBER OF A LIMITED LIABILITY COMPANY OR  
26 PARTNER IN A LIMITED LIABILITY PARTNERSHIP WHO HAS OR SHARES THE  
27 AUTHORITY TO MANAGE, CONTROL, AND OPERATE THE LIMITED LIABILITY  
28 COMPANY OR LIMITED LIABILITY PARTNERSHIP AND WHO SHARES THE ASSETS  
29 AND EARNINGS OF THE LIMITED LIABILITY COMPANY OR LIMITED LIABILITY  
30 PARTNERSHIP UNDER AN OPERATING AGREEMENT UNDER § 4A–402 OF THE

1 **CORPORATIONS AND ASSOCIATIONS ARTICLE OR UNDER A PARTNERSHIP**  
 2 **AGREEMENT.**

3 **(3) “AGRICULTURAL OWNERSHIP ENTITY” MEANS A FAMILY**  
 4 **CORPORATION, GENERAL PARTNERSHIP, LIMITED LIABILITY COMPANY, OR**  
 5 **LIMITED LIABILITY PARTNERSHIP THAT:**

6 **(I) OWNS REAL PROPERTY THAT:**

7 **1. INCLUDES LAND RECEIVING AN AGRICULTURAL**  
 8 **USE ASSESSMENT UNDER § 8–209 OF THIS ARTICLE; AND**

9 **2. INCLUDES LAND USED AS A HOMESITE THAT IS**  
 10 **PART OF OR CONTIGUOUS TO A PARCEL DESCRIBED IN ITEM 1 OF THIS ITEM;**

11 **(II) OWNS PERSONAL PROPERTY USED TO OPERATE THE**  
 12 **AGRICULTURAL LAND; AND**

13 **(III) OWNS NO OTHER PROPERTY.**

14 **[(2)] (4) (i) “Dwelling” means:**

15 **1. a house that is:**

16 **A. used as the principal residence of the homeowner; and**

17 **B. actually occupied or expected to be actually occupied**  
 18 **by the homeowner for more than 6 months of a 12–month period beginning with the**  
 19 **date of finality for the taxable year for which the property tax credit under this section**  
 20 **is sought; and**

21 **2. the lot or curtilage on which the house is erected.**

22 **(ii) “Dwelling” includes:**

23 **1. a condominium unit that is occupied by an individual**  
 24 **who has a legal interest in the condominium;**

25 **2. an apartment in a cooperative apartment corporation**  
 26 **that is occupied by an individual who has a legal interest in the apartment; and**

27 **3. a part of real property used other than primarily for**  
 28 **residential purposes, if the real property is used as a principal residence by an**  
 29 **individual who has a legal interest in the real property.**

1           **(5) “FAMILY CORPORATION” MEANS A CORPORATION THAT DOES**  
2 **NOT HAVE ANY STOCKHOLDERS OTHER THAN THE HOMEOWNER AND THE**  
3 **FOLLOWING MEMBERS OF THE HOMEOWNER’S FAMILY:**

4                   **(I) A SPOUSE OR FORMER SPOUSE;**

5                   **(II) A CHILD OR STEPCHILD;**

6                   **(III) A PARENT OR STEPPARENT;**

7                   **(IV) A BROTHER OR SISTER;**

8                   **(V) A SON-IN-LAW, DAUGHTER-IN-LAW, STEPSON-IN-LAW,**  
9 **OR STEPDAUGHTER-IN-LAW;**

10                   **(VI) A GRANDCHILD OR STEPGRANDCHILD; OR**

11                   **(VII) A GRANDPARENT OR STEPGRANDPARENT.**

12           **[(3)] (6) “Homeowner” means an individual who has a legal interest**  
13 **in a dwelling or who is an active member of an agricultural ownership entity that has**  
14 **a legal interest in a dwelling.**

15           **[(4)] (7) “Legal interest” means an interest in a dwelling:**

16                   (i) as a sole owner;

17                   (ii) as a joint tenant;

18                   (iii) as a tenant in common;

19                   (iv) as a tenant by the entireties;

20                   (v) through membership in a cooperative;

21                   (vi) under a land installment contract, as defined in § 10–101 of  
22 **the Real Property Article; or**

23                   (vii) as a holder of a life estate.

24           **[(5)] (8) “Taxable assessment” means the assessment on which the**  
25 **State, county, or municipal corporation property tax rate was imposed in the preceding**  
26 **taxable year, adjusted by the phased-in assessment increase resulting from a**  
27 **revaluation under § 8–104(c)(1)(iii) of this article, less the amount of any assessment**  
28 **on which a property tax credit under this section is authorized.**





1 DRAFTER'S NOTE:

2 Error: Stylistic error (failure to codify defined terms in alphabetical order) in §  
3 9–105(a) of the Tax – Property Article.

4 Occurred: Ch. 501, Acts of 2004; Chs. 208 and 209, Acts of 2007.

5 **Article – Transportation**

6 2–103.1.

7 (f) At the earliest practical date but no later than November 1 of each year,  
8 the Department shall provide the proposed Consolidated Transportation Program and  
9 the proposed Maryland Transportation Plan to the Department of Planning for review  
10 and comment on planning issues including consistency between transportation  
11 investments and the State Economic Growth, Resource Protection, and Planning  
12 Policy and State priority funding areas established under Title 5, Subtitle 7B[,] of the  
13 State Finance and Procurement Article.

14 DRAFTER'S NOTE:

15 Error: Extraneous punctuation in § 2–103(f) of the Transportation Article.

16 Occurred: Ch. 303, Acts of 2000.

17 13–209.

18 (a) The Administration shall maintain an Assurance Fund and deposit in it  
19 [that part of] the filing fees collected under this subtitle [that is not credited to the  
20 General Fund under § 13–208 of this subtitle].

21 DRAFTER'S NOTE:

22 Error: Obsolete cross–reference in § 13–209(a) of the Transportation Article.

23 Occurred: As a result of Ch. 6, § 5, Acts of 2007 Special Session, which repealed  
24 § 13–208 of the Transportation Article.

25 13–402.

26 (c) Registration under this subtitle is not required for:

27 (10) A snowmobile [which] **THAT** is operated on highways and  
28 roadways as prescribed by § 25–102(a)(14) of this article;

1 (11) A golf cart [which] **THAT** is operated on a highway on Smith  
2 Island, provided that the golf cart is equipped with lighting devices as required by the  
3 Administration if it is operated on a highway between dusk and dawn;

4 (12) A golf cart [which] **THAT** is operated on an Allegany County  
5 highway as allowed by the county under § 25–102(a)(16) of this article; or

6 DRAFTER’S NOTE:

7 Error: Grammatical error in § 13–402(c)(10), (11), and (12) of the  
8 Transportation Article.

9 Occurred: Ch. 682, Acts of 1981; Ch. 258, Acts of 1992; Ch. 82, Acts of 1999.

10 15–311.2.

11 (a) (1) For the purposes of this section, the term “mechanical repair  
12 contract” means any agreement or contract sold by a licensed vehicle dealer under  
13 which a specified provider agrees to perform over a fixed period of time, for a specific  
14 duration and for a specific identifiable price, services relating to the maintenance or  
15 repair of a motor [vehicle;] **VEHICLE**, provided that the purchase of the contract is  
16 optional to the purchaser.

17 DRAFTER’S NOTE:

18 Error: Punctuation error in § 15–311.2(a)(1) of the Transportation Article.

19 Occurred: Ch. 575, Acts of 1981.

20 16–208.

21 (a) (1) Except as provided in paragraph (2) of this subsection, §§  
22 16–205(d–1) and 16–206(a)(4), (b), and (c) of this subtitle, § 16–404(c)(2) and (3) of this  
23 title, and § 3–8A–23 of the Courts and Judicial Proceedings [Article] **ARTICLE**, the  
24 Administration may not suspend a license or privilege to drive for a period of more  
25 than 1 year.

26 DRAFTER’S NOTE:

27 Error: Omitted comma in § 16–208(a)(1) of the Transportation Article.

28 Occurred: Chs. 219 and 220, Acts of 2006.

29 16–301.

30 (c) A person may not [display,] **DISPLAY OR** cause or permit to be  
31 [displayed,] **DISPLAYED** any canceled license.

1 (d) A person may not [display,] **DISPLAY OR** cause or permit to be  
2 [displayed,] **DISPLAYED** any revoked license.

3 (e) A person may not [display,] **DISPLAY OR** cause or permit to be  
4 [displayed,] **DISPLAYED** any suspended license.

5 (f) A person may not [display,] **DISPLAY OR** cause or permit to be  
6 [displayed,] **DISPLAYED** any fictitious license.

7 (g) A person may not [display,] **DISPLAY OR** cause or permit to be  
8 [displayed,] **DISPLAYED** any fraudulently altered license.

9 DRAFTER'S NOTE:

10 Error: Grammatical errors in § 16–301(c) through (g) of the Transportation  
11 Article.

12 Occurred: Ch. 472, Acts of 1986.

13 16–402.1.

14 (a) When the Administration receives a notice of conviction from a party  
15 state to the Driver License Compact under Subtitle 7 of this title, the Administration  
16 may not assess points against an individual, except upon receipt of reports of the  
17 following convictions:

18 (2) Driving a motor vehicle while under the influence of intoxicating  
19 liquor or a narcotic drug, while intoxicated per se, or while under the influence of any  
20 other drug to a degree [which] **THAT** renders the driver incapable of safely driving a  
21 motor vehicle;

22 DRAFTER'S NOTE:

23 Error: Grammatical error in § 16–402.1(a)(2) of the Transportation Article.

24 Occurred: Ch. 320, Acts of 1987.

25 16–812.

26 (a) The Administration shall disqualify any individual from driving a  
27 commercial motor vehicle for a period of 1 year if:

28 (2) The individual holds a commercial driver's license and is convicted  
29 of committing any of the following offenses while driving a noncommercial motor  
30 vehicle:

1 (iii) Leaving the scene of an accident which requires  
2 disqualification as provided by the United States Secretary of Transportation; **OR**

3 DRAFTER'S NOTE:

4 Error: Omitted conjunction in § 16–812(a)(2)(iii) of the Transportation Article.

5 Occurred: Ch. 167, Acts of 2005.

6 18–105.

7 (a) A person may not rent a motor vehicle to any other person if he knows  
8 that the other person is under the influence of alcohol, impaired by alcohol, impaired  
9 by a drug, a combination of drugs, **OR** a combination of one or more drugs and alcohol,  
10 or impaired by a controlled dangerous substance.

11 (b) A person may not rent a motor vehicle to any other person if the person  
12 knows that an individual who will drive the rented vehicle is under the influence of  
13 alcohol, impaired by alcohol, impaired by a drug, a combination of drugs, **OR** a  
14 combination of one or more drugs and alcohol, or impaired by a controlled dangerous  
15 substance.

16 DRAFTER'S NOTE:

17 Error: Omitted conjunctions in § 18–105 of the Transportation Article.

18 Occurred: Chs. 4 and 5, Acts of 2001.

19 21–902.

20 (c) (3) A person may not violate paragraph (1) [or (2)] of this subsection  
21 while transporting a minor.

22 DRAFTER'S NOTE:

23 Error: Incorrect internal reference in § 21–902(c)(3) of the Transportation  
24 Article.

25 Occurred: Ch. 482, Acts of 2005.

26 21–1207.1.

27 (c) A person to whom this section applies may not operate or ride as a  
28 passenger on a bicycle unless the person is wearing a helmet that meets or exceeds the  
29 standards of the American National Standards Institute, the Snell Memorial  
30 [Foundation's standard] **FOUNDATION**, or the [standards of the] American Society

1 [of] FOR Testing and [Measurements] MATERIALS for protective headgear for use in  
2 bicycling.

3 DRAFTER'S NOTE:

4 Error: Extraneous language and misnomer in § 21–1207.1(c) of the  
5 Transportation Article.

6 Occurred: Ch. 497, Acts of 1995.

7 21–1207.2.

8 (a) An individual under the age of 16 years may not ride on a scooter or on  
9 in–line skates on any highway, bicycle way, sidewalk, or other property open to the  
10 public or used by the public for pedestrian or vehicular traffic, unless the individual is  
11 wearing a helmet that meets or exceeds the standards of the American National  
12 Standards Institute, the Snell Memorial Foundation, or the American Society [of] FOR  
13 Testing and [Measurements] MATERIALS for protective headgear for use in bicycling  
14 or in–line skating.

15 DRAFTER'S NOTE:

16 Error: Misnomer in § 21–1207.2(a) of the Transportation Article.

17 Occurred: Ch. 344, Acts of 2001.

18 24–301.

19 (b) (2) [An established place of business] “ESTABLISHED PLACE OF  
20 BUSINESS” does not include a tent, temporary stand or other temporary quarters, or  
21 permanent quarters occupied under a temporary arrangement.

22 DRAFTER'S NOTE:

23 Error: Stylistic error in § 24–301(b)(2) of the Transportation Article.

24 Occurred: Ch. 756, Acts of 1985.

### 25 Chapter 3 of the Acts of the 2007 Special Session

26 [SECTION 9. AND BE IT FURTHER ENACTED, That, on or before December  
27 1, 2009, and December 1, 2011, the Comptroller shall report to the Governor and,  
28 subject to § 2–1246 of the State Government Article, the General Assembly, on the  
29 implementation of the imposition of the sales and use tax on the sale of computer  
30 services, as provided for under this Act, and the impact on sales and use tax revenues  
31 as a result of the imposition of the sales and use tax on the sale of computer services.]

1 DRAFTER'S NOTE:

2 Error: Obsolete section in Chapter 3 of the Acts of the 2007 Special Session.

3 Occurred: As a result of Ch. 10, Acts of 2008, which repealed the imposition of  
4 the sales and use tax on the sale of computer services.

5 **Chapter 171 of the Acts of 2009**

6 SECTION 6. AND BE IT FURTHER ENACTED, That any reference in the  
7 Annotated Code of Maryland rendered incorrect or obsolete by the provisions of  
8 [Section 6] SECTION 7 of this Act shall be corrected by the publishers of the  
9 Annotated Code, in consultation with and subject to the approval of the Department of  
10 Legislative Services, with no further action required by the General Assembly.

11 DRAFTER'S NOTE:

12 Error: Erroneous cross-reference in Section 6 of Ch. 171, Acts of 2009.

13 Occurred: Ch. 171, Acts of 2009.

14 **Chapter 172 of the Acts of 2009**

15 SECTION 6. AND BE IT FURTHER ENACTED, That any reference in the  
16 Annotated Code of Maryland rendered incorrect or obsolete by the provisions of  
17 [Section 6] SECTION 7 of this Act shall be corrected by the publishers of the  
18 Annotated Code, in consultation with and subject to the approval of the Department of  
19 Legislative Services, with no further action required by the General Assembly.

20 DRAFTER'S NOTE:

21 Error: Erroneous cross-reference in Section 6 of Ch. 172, Acts of 2009.

22 Occurred: Ch. 172, Acts of 2009.

23 **Chapter 180 of the Acts of 2009**

24 SECTION 5. AND BE IT FURTHER ENACTED, That this Act shall be  
25 construed to apply only prospectively and may not be applied or interpreted to have  
26 any effect on or application to any action covered under Article 66B, [§ 1.02(1)] §  
27 **1.02(A)(1)** of the Code, as enacted by Section 2 of this Act **THAT WAS TAKEN**  
28 **BEFORE THE EFFECTIVE DATE OF THIS ACT.**

29 DRAFTER'S NOTE:

30 Error: Erroneous cross-reference and omitted language in Section 5 of Ch. 180,  
31 Acts of 2009.

1 Occurred: Ch. 180, Acts of 2009.

2 **Chapter 181 of the Acts of 2009**

3 SECTION 5. AND BE IT FURTHER ENACTED, That this Act shall be  
4 construed to apply only prospectively and may not be applied or interpreted to have  
5 any effect on or application to any action covered under Article 66B, [§ 1.02(1)] §  
6 **1.02(A)(1)** of the Code, as enacted by Section 2 of this Act **THAT WAS TAKEN**  
7 **BEFORE THE EFFECTIVE DATE OF THIS ACT.**

8 DRAFTER'S NOTE:

9 Error: Erroneous cross-reference and omitted language in Section 5 of Ch. 181,  
10 Acts of 2009.

11 Occurred: Ch. 181, Acts of 2009.

12 **Chapter 186 of the Acts of 2009**

13 SECTION 5. AND BE IT FURTHER ENACTED, That funds received [by]  
14 **FROM** the federal government under the Victims of Crime Act [(42 U.S.C. § 10602)]  
15 **(42 U.S.C. § 10603)** shall be administered by the Governor's Office of Crime Control  
16 and Prevention.

17 DRAFTER'S NOTE:

18 Error: Incorrect word usage and incorrect citation in Section 5 of Ch. 186, Acts  
19 of 2009.

20 Occurred: Ch. 186, Acts of 2009. Corrections suggested by the Assistant  
21 Attorney General for the Department of Public Safety and Correctional Services and  
22 the Assistant Attorney General for the Governor's Office of Crime Control and  
23 Prevention in an Advice of Counsel memorandum dated July 10, 2009.

24 **Chapter 487 of the Acts of 2009**

25 SECTION 47. AND BE IT FURTHER ENACTED, That the provisions of [§  
26 10-210(b)] **§ 10-210.1(B)** of the Tax – General Article, as amended by Section 2 of  
27 this Act, shall be applicable to any taxable year to which § 108(i), § 168(k), §  
28 172(b)(1)(H), or § 179 of the Internal Revenue Code, as amended by the American  
29 Recovery and Reinvestment Act of 2009 (P.L. 111-5), apply.

30 DRAFTER'S NOTE:

31 Error: Erroneous cross-reference in Section 47 of Ch. 487, Acts of 2009.



1 Occurred: Ch. 487, Acts of 2009.

2 **Chapter 500 of the Acts of 2009**

3 SECTION [3.] 4. AND BE IT FURTHER ENACTED, That, during the 30-day  
4 period after the first work zone speed control system is in place, a law enforcement  
5 agency may issue warnings, but may not issue citations, for violations enforced in  
6 accordance with § 21–810 of the Transportation Article, as enacted by this Act.

7 SECTION [4.] 5. AND BE IT FURTHER ENACTED, That this Act shall be  
8 construed to apply only prospectively and may not be applied or interpreted to have  
9 any effect on or application to any contract awarded before the effective date of this  
10 Act.

11 SECTION [5.] 6. AND BE IT FURTHER ENACTED, That an obligation or  
12 contract right existing on the effective date of this Act may not be impaired in any way  
13 by this Act.

14 SECTION [6.] 7. AND BE IT FURTHER ENACTED, That each local  
15 jurisdiction that enforces speed limit laws as authorized under this Act shall report to  
16 the Governor and the General Assembly on or before December 31, 2013, in  
17 accordance with § 2–1246 of the State Government Article, on the effectiveness of  
18 speed monitoring systems in the jurisdiction.

19 SECTION [7.] 8. AND BE IT FURTHER ENACTED, That § 21–809(b)(1)(i),  
20 (iii), and (v) of the Transportation Article, as enacted by Section 1 of this Act, does not  
21 apply to speed monitoring systems installed and operated in Montgomery County  
22 before October 1, 2009.

23 SECTION [8.] 9. AND BE IT FURTHER ENACTED, That Section 3 of this Act  
24 shall take effect October 1, 2012.

25 SECTION [9.] 10. AND BE IT FURTHER ENACTED, That, except as provided  
26 in Section [8] 9 of this Act, this Act shall take effect October 1, 2009.

27 DRAFTER'S NOTE:

28 Error: Erroneous numbering in Sections 3 through 9 of Ch. 500, Acts of 2009.

29 Occurred: Ch. 500, Acts of 2009.

30 SECTION 2. AND BE IT FURTHER ENACTED, That the publishers of the  
31 Annotated Code of Maryland, subject to the approval of the Department of Legislative  
32 Services, shall make any changes in the text of the Annotated Code necessary to  
33 effectuate any termination provision that was enacted by the General Assembly and  
34 has taken effect or will take effect prior to October 1, 2010. Any enactment of the 2010

1 Session of the General Assembly that negates or extends the effect of a previously  
2 enacted termination provision shall prevail over the provisions of this section.

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

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

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

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

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.