

SENATE BILL 894

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3lr3019
CF HB 1263

By: **Senator Montgomery**

Introduced and read first time: February 11, 2013

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Prosecution of Offenses Related to Practicing Medicine Without a License –**
3 **Statute of Limitations – Repeal**

4 FOR the purpose of repealing the requirement that a prosecution for an offense under
5 a certain provision of law of practicing, attempting to practice, or offering to
6 practice medicine without a license be instituted within a certain number of
7 years after the offense was committed; making conforming changes; and
8 generally relating to the prosecution of offenses related to practicing medicine
9 without a license.

10 BY repealing

11 Article – Courts and Judicial Proceedings
12 Section 5–106(r)
13 Annotated Code of Maryland
14 (2006 Replacement Volume and 2012 Supplement)

15 BY repealing and reenacting, with amendments,

16 Article – Real Property
17 Section 14–117(l)
18 Annotated Code of Maryland
19 (2010 Replacement Volume and 2012 Supplement)

20 BY renumbering

21 Article – Courts and Judicial Proceedings
22 Section 5–106(s) through (cc), respectively
23 to be Section 5–106(r) through (bb), respectively
24 Annotated Code of Maryland
25 (2006 Replacement Volume and 2012 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **Article – Courts and Judicial Proceedings**

2 5–106.

3 [(r) A prosecution for an offense under § 14–601 of the Health Occupations
4 Article of practicing, attempting to practice, or offering to practice medicine without a
5 license shall be instituted within 3 years after the offense was committed.]

6 **Article – Real Property**

7 14–117.

8 (l) (1) This subsection applies to Anne Arundel County.

9 (2) Subject to paragraph (3) of this subsection, if Anne Arundel County
10 or the State has initiated enforcement action for a violation of a local law described in
11 [§ 5–106(aa)(1)] **§ 5–106(Z)(1)** of the Courts and Judicial Proceedings Article, a
12 contract for sale of the real property where the violation occurred shall disclose:

13 (i) The nature of the violation;

14 (ii) The status of any ongoing proceedings to enforce the
15 violation; and

16 (iii) Any actions the buyer of the real property may be required
17 to take with respect to the property in order to cure the violation.

18 (3) If a violation of a local law described in [§ 5–106(aa)(1)] **§**
19 **5–106(Z)(1)** of the Courts and Judicial Proceedings Article is cured and a buyer of the
20 real property where the violation occurred would not have any obligation to cure the
21 violation, paragraph (2) of this subsection does not apply.

22 SECTION 2. AND BE IT FURTHER ENACTED, That Section(s) 5–106(s)
23 through (cc), respectively, of Article – Courts and Judicial Proceedings of the
24 Annotated Code of Maryland be renumbered to be Section(s) 5–106(r) through (bb),
25 respectively.

26 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 October 1, 2013.