

SENATE BILL 812

P5

EMERGENCY BILL

8lr3674

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

Introduced and read first time: February 5, 2018

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Annual Corrective Bill**

3 FOR the purpose of correcting certain errors or 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 provisions
9 by the publishers of the Annotated Code; providing for the effect and construction of
10 certain provisions of this Act; and making this Act an emergency measure.

11 BY repealing and reenacting, with amendments,

12 Article – Agriculture

13 Section 2–313.1(b)

14 Annotated Code of Maryland

15 (2016 Replacement Volume and 2017 Supplement)

16 BY repealing and reenacting, with amendments,

17 Article – Alcoholic Beverages

18 Section 2–203(d)(4), 2–217(b)(1), 4–204, 6–311(b)(2), 18–1101(a), 18–1605(c),
19 20–2002(b)(1)(ii), 22–805(c), 25–903(i)(1)(iv), 26–1601(a)(1)(xxii),
20 31–701(c)(1), 31–1306(c)(2), 32–501(b), and 33–902(c)

21 Annotated Code of Maryland

22 (2016 Volume and 2017 Supplement)

23 BY repealing and reenacting, with amendments,

24 Article – Business Occupations and Professions

25 Section 4–304(f)(1)(ii) and 5–311(f)(2)

26 Annotated Code of Maryland

27 (2010 Replacement Volume and 2017 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 BY repealing and reenacting, with amendments,
2 Article – Business Regulation
3 Section 5–503(e)(2) and 16.7–204(a)(1)(iv)2.
4 Annotated Code of Maryland
5 (2015 Replacement Volume and 2017 Supplement)
- 6 BY repealing and reenacting, with amendments,
7 Article – Correctional Services
8 Section 2–113.1(a), 4–203(d)(2)(ii) and (x), 7–206(5), 7–309(e)(4)(iii),
9 7–401(d)(4)(iv), 8–102, 8–604(a)(4), 9–201(a)(2)(i)2., and 10–801(a)(1)(ii)
10 Annotated Code of Maryland
11 (2017 Replacement Volume)
- 12 BY repealing and reenacting, with amendments,
13 Article – Courts and Judicial Proceedings
14 Section 3–8A–03(d)(4)
15 Annotated Code of Maryland
16 (2013 Replacement Volume and 2017 Supplement)
17 (As enacted by Chapter 213 of the Acts of the General Assembly of 2002)
- 18 BY repealing and reenacting, with amendments,
19 Article – Courts and Judicial Proceedings
20 Section 11–504(a)
21 Annotated Code of Maryland
22 (2013 Replacement Volume and 2017 Supplement)
- 23 BY repealing and reenacting, with amendments,
24 Article – Criminal Law
25 Section 10–107(e)(2)
26 Annotated Code of Maryland
27 (2012 Replacement Volume and 2017 Supplement)
- 28 BY repealing and reenacting, with amendments,
29 Article – Criminal Procedure
30 Section 1–203.1(c)(1)(i) and (2), 6–223(d), 6–224(c)(2)(iv), 10–110(a)(19),
31 11–912(a)(2)(v), and 16–210(d)(5)
32 Annotated Code of Maryland
33 (2008 Replacement Volume and 2017 Supplement)
- 34 BY repealing and reenacting, with amendments,
35 Article – Economic Development
36 Section 5–301(j), 6–801(j), and 12–605(d)(1)
37 Annotated Code of Maryland
38 (2008 Volume and 2017 Supplement)
- 39 BY repealing and reenacting, with amendments,
40 Article – Education

1 Section 3–2A–05(a)(2), 3–1004(b)(1)(ii), 4–201(c)(1), 4–318(e)(1), 9.5–803(c)(5) and
2 (d), 11–105(c)(3), 16–310(e)(3), 18–407(a); the subtitle designation “Subtitle
3 19. Maryland 529 Program” immediately preceding Section 18–1901;
4 18–19A–01(c), 18–19B–01(c), and 23–109(b)(2), (5)(i), and (7)(iii) and (v)
5 Annotated Code of Maryland
6 (2014 Replacement Volume and 2017 Supplement)

7 BY repealing and reenacting, without amendments,

8 Article – Education

9 Section 18–1901(a)

10 Annotated Code of Maryland

11 (2014 Replacement Volume and 2017 Supplement)

12 BY repealing and reenacting, with amendments,

13 Article – Election Law

14 Section 4–203(c)(2)(i), 5–305(c)(2), 5–701(3), 6–103(b)(1)(ii), 10–303(a)(2),
15 12–103(b)(1), 13–247(1)(ii)2., 13–307(e)(4), 13–309.1(c), and 13–336

16 Annotated Code of Maryland

17 (2017 Replacement Volume and 2017 Supplement)

18 BY repealing and reenacting, with amendments,

19 Article – Environment

20 Section 4–202.1(c)(2)(i)2.

21 Annotated Code of Maryland

22 (2013 Replacement Volume and 2017 Supplement)

23 BY repealing and reenacting, with amendments,

24 Article – Environment

25 Section 9–349(b)(1)(ii) and 9–1605.3(f)(2)(iv)

26 Annotated Code of Maryland

27 (2014 Replacement Volume and 2017 Supplement)

28 BY repealing and reenacting, with amendments,

29 Article – Estates and Trusts

30 Section 4–503(a)(1)(ii)2., 7–602(c), 10–103(b)(1)(i), 13–711(b)(3), 14–402(b)(3), and
31 14.5–105(7)

32 Annotated Code of Maryland

33 (2017 Replacement Volume)

34 BY repealing and reenacting, with amendments,

35 Article – Financial Institutions

36 Section 11–222

37 Annotated Code of Maryland

38 (2011 Replacement Volume and 2017 Supplement)

39 BY repealing and reenacting, with amendments,

40 Article – General Provisions

1 Section 5–209(c), 5–505(a)(2), and 5–514(b)(3)
2 Annotated Code of Maryland
3 (2014 Volume and 2017 Supplement)

4 BY repealing and reenacting, with amendments,
5 Article – Health – General
6 Section 5–621, 13–1007(b)(2)(ii), 13–1008(c)(8), 16–201.3(d)(2)(i) and (h)(3),
7 19–347(d)(1)(ii), 20–1004(21), and 24–307(c)(3)
8 Annotated Code of Maryland
9 (2015 Replacement Volume and 2017 Supplement)

10 BY repealing and reenacting, with amendments,
11 Article – Health Occupations
12 Section 1–301(c)(2)(viii)3., 1–302(e), 2–202(c), and 4–101(h)(2)(xi)
13 Annotated Code of Maryland
14 (2014 Replacement Volume and 2017 Supplement)

15 BY repealing and reenacting, with amendments,
16 Article – Human Services
17 Section 3–101(f)(2)(iii), 9–312(c), 9–406(c)(2), 9–407(b)(2), 10–413(a)(2)(iv),
18 10–445(b), 10–507(b)(2), and 10–508(b)(2)
19 Annotated Code of Maryland
20 (2007 Volume and 2017 Supplement)

21 BY repealing and reenacting, with amendments,
22 Article – Insurance
23 Section 4–303(b), 5–306(e)(1)(iii)2., 8–419(a), 9–414(g)(3)(ii), 10–108(d)(1)(ii),
24 10–111(b), 10–118(i)(1)(ii), 15–121(a)(6)(ii)6., 15–123(a)(7)(ii)6.,
25 15–1212(b), 15–1309(b), 15–1402(b), 19–112(a), 19–804(c)(2), 24–211(a), and
26 31–113(q)(3)
27 Annotated Code of Maryland
28 (2017 Replacement Volume)

29 BY repealing and reenacting, with amendments,
30 Article – Labor and Employment
31 Section 3–413(b)(2), 8–806(e)(1)(ii), 9–234(b), and 11–902(b)(2)(ii)4., (iii)2., and (iv)
32 Annotated Code of Maryland
33 (2016 Replacement Volume and 2017 Supplement)

34 BY repealing and reenacting, with amendments,
35 Article – Labor and Employment
36 Section 8–617(f)
37 Annotated Code of Maryland
38 (2016 Replacement Volume and 2017 Supplement)
39 (As enacted by Chapter 8 of the Acts of the General Assembly of 1991)

40 BY repealing and reenacting, with amendments,

1 Article – Natural Resources
2 Section 4–701(k)(4)(i), 5–101(f), and 8–403(a)(1)
3 Annotated Code of Maryland
4 (2012 Replacement Volume and 2017 Supplement)

5 BY repealing and reenacting, with amendments,
6 Article – Public Safety
7 Section 3–511 and 3–512(a)(3)
8 Annotated Code of Maryland
9 (2011 Replacement Volume and 2017 Supplement)

10 BY repealing and reenacting, with amendments,
11 Article – Real Property
12 Section 11B–111.1(a)(3) and 14–125.1(d)(3)(iv).
13 Annotated Code of Maryland
14 (2015 Replacement Volume and 2017 Supplement)

15 BY repealing and reenacting, with amendments,
16 Article – State Finance and Procurement
17 Section 7–311(e)(2) and 13–212.1(b)(3)
18 Annotated Code of Maryland
19 (2015 Replacement Volume and 2017 Supplement)

20 BY repealing and reenacting, with amendments,
21 Article – State Government
22 Section 2–706(b)(1), 2–709(b)(4)(ii), 6.5–101(i), 9–1A–04(d)(11), 9–1A–36(l),
23 9–957(e)(1)(i), and 9–3001(g)
24 Annotated Code of Maryland
25 (2014 Replacement Volume and 2017 Supplement)

26 BY repealing and reenacting, with amendments,
27 Article – State Personnel and Pensions
28 Section 27–403(c)(3)(iv) and 31–102
29 Annotated Code of Maryland
30 (2015 Replacement Volume and 2017 Supplement)

31 BY repealing and reenacting, with amendments,
32 Article – Tax – General
33 Section 2–107(a)(2)(ix), 10–205(h)(1), 11–411(d)(4)(i), and 13–203(c)(7)
34 Annotated Code of Maryland
35 (2016 Replacement Volume and 2017 Supplement)

36 BY repealing and reenacting, with amendments,
37 Article – Tax – Property
38 Section 9–210(c)(2) and 9–258(a)(2)
39 Annotated Code of Maryland
40 (2012 Replacement Volume and 2017 Supplement)

1 BY repealing and reenacting, with amendments,

2 Article – Transportation

3 Section 7–208(b–1)(1), (2)(i), (4), (5), and (6) and 8–402(b)(3)

4 Annotated Code of Maryland

5 (2015 Replacement Volume and 2017 Supplement)

6 BY repealing and reenacting, with amendments,

7 Article – Transportation

8 Section 13–616(a)(3), 16–303(j)(2), 16–404.1(d)(1)(i)4. and (g), 21–406(b)(2)(ii), and
9 25–102(c)

10 Annotated Code of Maryland

11 (2012 Replacement Volume and 2017 Supplement)

12 BY repealing

13 Chapter 445 of the Acts of the General Assembly of 1999

14 Section 2

15 BY repealing and reenacting, with amendments,

16 Article – Business Occupations and Professions

17 Section 4–304(a)(2)

18 Annotated Code of Maryland

19 (2010 Replacement Volume and 2017 Supplement)

20 (As enacted by Chapter 256 of the Acts of the General Assembly of 2017)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

22 That the Laws of Maryland read as follows:

23 **Article – Agriculture**

24 2–313.1.

25 (b) A veterinary practitioner who makes a report under subsection (a) of this
26 section shall include in the report:

27 (1) The name, age, and location of the animal;

28 (2) The name and home address of the owner or custodian of the animal;

29 (3) [The location of the animal;

30 (4)] The nature and extent of the suspected animal cruelty or animal
31 fighting, including any evidence or information available to the veterinary practitioner
32 concerning possible previous instances of animal cruelty or animal fighting; and

33 [(5)] (4) Any other information that would help determine:

- (i) The cause of the suspected animal cruelty or animal fighting; and
- (ii) The identity of any individual responsible for the suspected animal fighting.

DRAFTER'S NOTE:

Error: Duplicative provision in § 2-313.1(b) of the Agriculture Article.

Occurred: Ch. 417, Acts of 2017.

Article – Alcoholic Beverages

8 2-203.

(d) A holder of the limited distillery license may not:

10 (4) sell at retail on the premises of the Class D or Class B license, for
11 [on-sale or off-sale] **ON-PREMISES OR OFF-PREMISES** consumption, more than 15,500
12 gallons of the products manufactured under the license each calendar year; and

DRAFTER'S NOTE:

Error: Stylistic error in § 2-203(d)(4) of the Alcoholic Beverages Article.

15 Occurred: As a result of Ch. 41, § 2, Acts of 2016, which revised, restated, and
16 recodified former Article 2B – Alcoholic Beverages.

17 2-217.

18 (b) (1) A licensed manufacturer, resident dealer, or nonresident winery permit
19 holder may not discriminate directly or indirectly in price, discounts, or the quality of
20 merchandise sold between:

(i) one dispensary and another dispensary; [or]

(II) ONE WHOLESALER AND ANOTHER WHOLESALER; OR

DRAFTER'S NOTE:

26 Error: Omitted item in § 2-217(b)(1) of the Alcoholic Beverages Article.

27 Occurred: As a result of Ch. 41, § 2, Acts of 2016, which revised, restated, and
28 recodified former Article 2B – Alcoholic Beverages. Correction suggested by the Director of

1 the Field Enforcement Division, Comptroller of Maryland in an e-mail to the Department
2 of Legislative Services dated May 17, 2017.

3 4–204.

4 (A) Except as otherwise provided in Division II of this article **AND SUBSECTION**
5 **(B) OF THIS SECTION**, a local licensing board may not issue more than one license for use
6 at the same premises.

7 (B) **THE PROHIBITION IN SUBSECTION (A) OF THIS SECTION DOES NOT**
8 **APPLY TO A LICENSE ISSUED IN ACCORDANCE WITH §§ 4–1201 THROUGH 4–1205 OF**
9 **THIS TITLE.**

10 DRAFTER'S NOTE:

11 Error: Omitted reference in § 4–204 of the Alcoholic Beverages Article.

12 Occurred: As a result of Ch. 41, § 2, Acts of 2016, which revised, restated, and
13 recodified former Article 2B – Alcoholic Beverages. Correction suggested by the General
14 Counsel to the Comptroller in a letter to the Department of Legislative Services dated
15 October 16, 2017.

16 6–311.

17 (b) A retail dealer may not:

18 (2) sell any alcoholic beverage to any other retail dealer except the holder
19 of a Class C **PER DIEM** beer, beer and wine, or beer, wine, and liquor license; or

20 DRAFTER'S NOTE:

21 Error: Omitted language in § 6–311(b)(2) of the Alcoholic Beverages Article.

22 Occurred: As a result of Ch. 41, § 2, Acts of 2016, which revised, restated, and
23 recodified former Article 2B – Alcoholic Beverages.

24 18–1101.

25 (a) The following **[section] SECTIONS** of Title 4, Subtitle 11 (“Additional License
26 Privileges”) of Division I of this article **[applies] APPLY** in the county without exception or
27 variation:

28 (1) § 4–1102 (“Corkage — Consuming wine not purchased from license
29 holder on licensed premises”); and

30 (2) § 4–1103 (“Removal of partially consumed bottle of wine from licensed

1 premises").

2 DRAFTER'S NOTE:

3 Error: Grammatical error in § 18–1101(a) of the Alcoholic Beverages Article.

4 Occurred: As a result of Ch. 41, § 2, Acts of 2016, which revised, restated, and
5 recodified former Article 2B – Alcoholic Beverages.

6 18–1605.

7 (c) A person may not have a direct or indirect interest **IN ANY COMBINATION** in
8 more than six Class **[B and Class BLX] B–BLX** licenses **[in any combination]**.

9 DRAFTER'S NOTE:

10 Error: Incorrect word usage in § 18–1605(c) of the Alcoholic Beverages Article.

11 Occurred: As a result of Ch. 41, § 2, Acts of 2016, which revised, restated, and
12 recodified former Article 2B – Alcoholic Beverages.

13 20–2002.

14 (b) (1) A holder of a Class B beer license may sell beer:

15 (ii) on Sunday:

16 1. subject to paragraph (2) of this subsection, for
17 on-premises consumption:

18 A. from 10 a.m. to 2 a.m. the following day; or

19 B. for a specific event that the Board has approved, the hours
20 for the event that are set by the Board~~[.]~~; AND

21 2. for off-premises consumption, from 1 p.m. to 2 a.m. the
22 following day.

23 DRAFTER'S NOTE:

24 Error: Incorrect punctuation and missing conjunction in § 20–2002(b)(1)(ii)1B of the
25 Alcoholic Beverages Article.

26 Occurred: As a result of Ch. 41, § 2, Acts of 2016, which revised, restated, and
27 recodified former Article 2B – Alcoholic Beverages.

28 22–805.

3 DRAFTER'S NOTE:

4 Error: Erroneous internal reference in § 22–805(c) of the Alcoholic Beverages Article.

5 Occurred: Ch. 41, § 2, Acts of 2016.

6 25-903.

7 (i) On 7 days of the week, the hours of sale are:

8 (1) for on-premises consumption:

9 (iv) from 10 a.m. to 2 a.m. the following day, on a Sunday that is not
10 referenced in item (iii) of this [paragraph] ITEM; and

11 DRAFTER'S NOTE:

12 Error: Stylistic error in § 25-903(i)(1)(iv) of the Alcoholic Beverages Article.

13 Occurred: Ch. 641, Acts of 2016.

14 26-1601.

17 (xxii) Class C beer, wine, and liquor:

18 1. under § 26–1002 of this title, [30] 1;

19 2. under § 26-1005 of this title, [25] 12;

20 3. under § 26–1011 of this title, [12] 25;

4. under § 26–1017 of this title. [1] 30; and

22 5. under § 26–1019 of this title, 4.

23 DRAFTER'S NOTE:

24 Error: Incorrect amounts in § 26-1601(a)(1)(xxii) of the Alcoholic Beverages Article.

1 Occurred: As a result of Ch. 41, § 2, Acts of 2016, which revised, restated, and
2 recodified former Article 2B – Alcoholic Beverages.

3 31–701.

4 (c) (1) The license **[authorized]** **AUTHORIZES** the license holder to sell at
5 retail at the place described in the license light wine produced at the winery.

6 DRAFTER'S NOTE:

7 Error: Incorrect word usage in § 31–701(c)(1) of the Alcoholic Beverages Article.

8 Occurred: As a result of Ch. 41, § 2, Acts of 2016, which revised, restated, and
9 recodified former Article 2B – Alcoholic Beverages.

10 31–1306.

11 (c) (2) During the event for which the license is issued, an individual, within
12 the approved event area and **[in]** **WITH** a designated container unique to the event, may:

13 (i) purchase beer or wine from the license holder, or purchase beer
14 or wine from, and consume on the premises of, any other license holder with on-sale
15 privileges within the Arts and Entertainment District;

16 (ii) transport the beer or wine in the designated container to the
17 premises of another license holder with on-sale privileges in the Arts and Entertainment
18 District and within the approved event area; and

19 (iii) consume the beer or wine within the Arts and Entertainment
20 District event area as approved by the Mayor and City Council, including the premises of
21 any license holder with on-sale privileges.

22 DRAFTER'S NOTE:

23 Error: Incorrect word usage in § 31–1306(c)(2) of the Alcoholic Beverages Article.

24 Occurred: As a result of Ch. 41, § 2, Acts of 2016, which revised, restated, and
25 recodified former Article 2B – Alcoholic Beverages.

26 32–501.

27 (b) The following sections of Title 2, Subtitle 3 (“Wholesaler’s **[licenses]**”)
28 **LICENSES**”) of Division I of this article apply in the county, subject to § 32–504 of this
29 subtitle:

30 (1) § 2–302 (“Class 1 beer, wine, and liquor wholesaler’s license”); and

(2) § 2–303 (“Class 2 wine and liquor wholesaler’s license”).

DRAFTER'S NOTE:

Error: Capitalization error in § 32-501(b) of the Alcoholic Beverages Article.

Occurred: As a result of Ch. 41, § 2, Acts of 2016, which revised, restated, and
fied former Article 2B – Alcoholic Beverages.

6 33-902.

7 (c) A license under this section authorizes the license holder to sell beer, wine,
8 and liquor, at retail, at the place described in the license, for **ON-PREMISES**
9 **CONSUMPTION OR** on- and off-premises consumption.

DRAFTER'S NOTE:

Error: Omitted language in § 33–902(c) of the Alcoholic Beverages Article.

12 Occurred: Ch. 41, § 2, Acts of 2016. Correction suggested by the counsel to the Board
13 of License Commissioners for Worcester County in an e-mail to the Department of
14 Legislative Services dated October 16, 2017.

Article – Business Occupations and Professions

16 4-304.

17 (f) Subject to § 2-110 of the Business Regulation Article, in the case of an
18 applicant who demonstrates dyslexia or other reading impairment to the Board:

(1) the Board may grant 1 or both of the following:

20 (ii) oral examination for all or part of the written part of the
21 examination[.]; AND

DRAFTER'S NOTE:

23 Error: Incorrect punctuation and missing conjunction in § 4-304(f)(1)(ii) of the
24 Business Occupations and Professions Article.

Occurred: Ch. 612, Acts of 1989.

26 5-311.

27 (f) (2) If an individual who, on or before September 30, 1999, holds a limited
28 license to provide manicuring services files an application to renew the license, the Board
29 shall grant a waiver of the requirement for completion of hours of instruction under §

1 5–305(d)(3)(ii)] **§ 5–305(B)(3)(II)** of this subtitle that are in addition to the hours of
2 instruction required on or before that date.

3 **DRAFTER'S NOTE:**

4 Error: Erroneous cross-reference in § 5–311(f)(2) of the Business Occupations and
5 Professions Article.

6 Occurred: Ch. 455, Acts of 1999.

7 **Article – Business Regulation**

8 5–503.

9 (e) (2) Nothing [is] IN this section may be construed to prohibit a party
10 responsible for a cemetery from maintaining or repairing a damaged memorial or
11 monument.

12 **DRAFTER'S NOTE:**

13 Error: Incorrect word usage in § 5–503(e)(2) of the Business Regulation Article.

14 Occurred: Ch. 477, Acts of 2017. Correction suggested by the Attorney General in the
15 Bill Review Letter for S.B. 50 (Ch. 477), dated April 10, 2017.

16 16.7–204.

17 (a) An electronic nicotine delivery systems manufacturer license authorizes the
18 licensee to:

19 (1) sell electronic nicotine delivery systems to:

20 (iv) a consumer if:

21 2. the consumer purchases or orders the systems through the
22 mail, a computer network, a telephonic network, or another electronic network; [and]

23 **DRAFTER'S NOTE:**

24 Error: Extraneous conjunction in § 16.7–204(a)(1)(iv)2 of the Business Regulation
25 Article.

26 Occurred: Ch. 814, Acts of 2017.

27 **Article – Correctional Services**

28 2–113.1.

1 (a) The Secretary may subpoena, administer an oath to, and examine under
2 [oath,] OATH any person if the Secretary considers it necessary for the effective
3 administration of the Secretary's duties.

4 DRAFTER'S NOTE:

5 Error: Extraneous comma in § 2-113.1(a) of the Correctional Services Article.

6 Occurred: Ch. 89, Acts of 2013.

7 4-203.

8 (d) (2) The annual report shall state:

9 (ii) the number of inmates and each inmate's age, sex, race, place of
10 [birth and] **BIRTH, PLACE OF** conviction, crime, and term of confinement;

11 (x) a summary of the reasons underlying [an] EACH individual's
12 transfer to the Division of Correction as described in item (ix) of this paragraph;

13 DRAFTER'S NOTE:

14 Error: Incorrect word usage in § 4–203(d)(2)(ii) and (x) of the Correctional Services
15 Article.

16 Occurred: Ch. 54, § 2, Acts of 1999; Ch. 269, Acts of 2002.

17 7-206.

18 The Commission shall:

23 DRAFTER'S NOTE:

24 Error; Omitted comma in § 7-206(5) of the Correctional Services Article.

25 Occurred: Ch. 54, § 2, Acts of 1999.

26 7-309.

27 (e) The information to be considered by the Commission before granting medical
28 parole shall, at a minimum, include:

(4) case management information, including:

(iii) pending charges, sentences [and] IN other jurisdictions, and any other detainers; and

DRAFTER'S NOTE:

Error: Incorrect word usage in § 7-309(e)(4)(iii) of the Correctional Services Article.

Occurred: Ch. 299, Acts of 2008.

7 7-401.

DRAFTER'S NOTE:

Error: Stylistic error in § 7-401(d)(4)(iv) of the Correctional Services Article.

13 Occurred: Ch. 515, § 2, Acts of 2016.

14 8-102.

15 The General Assembly finds that there is a need to improve the method of
16 establishing standards for correctional facilities and programs and of [insuring]
17 ENSURING compliance with these standards to better protect the health, safety, and
18 welfare of the public by reducing incidents of crime.

DRAFTER'S NOTE:

Error: Incorrect word usage in § 8-102 of the Correctional Services Article.

21 Occurred: Ch. 54, § 2, Acts of 1999.

22 8-604.

23 (a) Each party state may make one or more contracts with any one or more of the
24 other party states for the confinement of inmates on behalf of a sending state in institutions
25 situated within receiving states. Any such contract shall provide for:

(4) delivery and retaking of inmates; AND

27 DRAFTER'S NOTE:

Error: Omitted conjunction in § 8-604(a)(4) of the Correctional Services Article.

Occurred: Ch. 54, § 2, Acts of 1999.

3 9-201.

(a) (2) "Sexual offense" means:

(i) a violation of:

DRAFTER'S NOTE:

10 Error: Obsolete cross-references in § 9-201(a)(2)(i)2 of the Correctional Services
11 Article.

12 Occurred: Chs. 161 and 162, Acts of 2017, which repealed sexual offense and
13 attempted sexual offense in the first degree and sexual offense and attempted sexual
14 offense in the second degree and re-categorized the offenses as elements of rape and
15 attempted rape in the first degree and rape and attempted rape in the second degree,
16 respectively.

17 10-801.

(a) In this section:

19 (1) "contraband" means any item, material, substance, or other thing of
20 value that:

DRAFTER'S NOTE:

26 Error; Omitted conjunction in § 10-801(a)(1)(ii) of the Correctional Services Article.

27 Occurred: Ch. 224, Acts of 2000.

Article – Courts and Judicial Proceedings

29 3-8A-03.

(d) The court does not have jurisdiction over:

(4) A child at least 16 years old alleged to have committed any of the following crimes, as well as all other charges against the child arising out of the same incident, unless an order removing the proceeding to the court has been filed under § 4-202 of the Criminal Procedure Article:

(i) Abduction;

(ii) Kidnapping;

(iii) Second degree murder;

(iv) Manslaughter, except involuntary manslaughter;

(v) Second degree rape;

(vi) Robbery under § 3–403 of the Criminal Law Article;

[(vii) Second degree sexual offense under § 3–306(a)(1) of the Criminal

[(viii)] (VII) Third degree sexual offense under § 3-307(a)(1) of the
cle;

[(ix)] (VIII) A crime in violation of § 5-133, § 5-134, § 5-138, or § 5-139 of the Safety Article;

[(x)] (IX) Using, wearing, carrying, or transporting a firearm during a drug trafficking crime under § 5–621 of the Criminal Law Article;

[(xi)] (x) Use of a firearm under § 5–622 of the Criminal Law

[(xii)] (XI) Carjacking or armed carjacking under § 3-405 of the
Title;

[(xiii)] (XII) Assault in the first degree under § 3–202 of the Criminal

[(xiv)] (xiii) Attempted murder in the second degree under § 2-206 of Article;

[xv] (XIV) Attempted rape in the second degree under § 3–310 of the
cle [or attempted sexual offense in the second degree under § 3–312 of

1 the Criminal Law Article];

2 **[(xvi)] (XV)** Attempted robbery under § 3–403 of the Criminal Law
3 Article; or

4 **[(xvii)] (XVI)** A violation of § 4–203, § 4–204, § 4–404, or § 4–405 of
5 the Criminal Law Article;

6 DRAFTER'S NOTE:

7 Error: Obsolete cross-reference in § 3–8A–03(d)(4)(vii) and § 3–8A–03(d)(4)(xv) of
8 the Courts and Judicial Proceedings Article.

9 Occurred: As a result of Chs. 161 and 162, Acts of 2017, which repealed sexual offense
10 and attempted sexual offense in the first degree and sexual offense and attempted sexual
11 offense in the second degree and re-categorized the offenses as elements of rape and
12 attempted rape in the first degree and rape and attempted rape in the second degree,
13 respectively. Correction by the publisher of the Annotated Code to remove reference to “or
14 attempted sexual offense in the second degree under § 3–312 of the Criminal Law Article”
15 from § 3–8A–03(d)(4)(xv) in the 2017 Supplement of the Courts and Judicial Proceedings
16 Article is ratified by this Act.

17 11–504.

18 (a) **[(1)]** In this [section the following terms have the meanings indicated.

19 **(2) “Value”]** SECTION, “VALUE” means fair market value as of the date
20 upon which the execution or other judicial process becomes effective against the property
21 of the debtor, or the date of filing the petition under the federal Bankruptcy Code.

22 DRAFTER'S NOTE:

23 Error: Stylistic error in § 11–504(a) of the Courts and Judicial Proceedings Article.

24 Occurred: Ch. 765, Acts of 1981.

25 Article – Criminal Law

26 10–107.

27 (e) **(2)** Enforcement of a civil penalty for a violation of this section precludes a
28 prosecution for a violation of [this section] **§ 24–307 OF THE HEALTH – GENERAL**
29 **ARTICLE** arising out of the same violation.

30 DRAFTER'S NOTE:

Error: Erroneous cross-reference in § 10–107(e)(2) of the Criminal Law Article.

2 Occurred: Ch. 773, Acts of 2017. Chapter 773 erroneously referenced “§ 10–107 of the
3 Criminal Law Article” in § 10–107(e)(2) of the Criminal Law Article. Subsequently, the
4 publisher erroneously changed that language to “this section” in the 2017 Supplement to the
5 Criminal Law Article.

Article – Criminal Procedure

7 1-203.1.

12 (2) If neither of the events described in [subsection (c)(1)(ii) of this section]
13 **PARAGRAPH (1)(II) OF THIS SUBSECTION** occurs within 10 calendar days of the issuance
14 of the order, the order is void.

15 DRAFTER'S NOTE:

16 Error: Stylistic errors in § 1–203.1(c)(1)(i) and (2) of the Criminal Procedure Article.

17 Occurred: Ch. 191, Acts of 2014.

18 6-223.

19 (d) If, at the hearing, a circuit court or the District Court finds that the
20 probationer or defendant has violated a condition of probation, the court may:

21 (1) revoke the probation granted or the suspension of sentence; and

22 (2) (i) subject to [paragraph (3) of this subsection] **SUBSECTION (E) OF**
23 **THIS SECTION**, for a technical violation, impose a period of incarceration of:

1. not more than 15 days for a first technical violation;

25 2. not more than 30 days for a second technical violation; and

3. not more than 45 days for a third technical violation; and

1 **[(3)] (E) [(i)] (1)** There is a rebuttable presumption that the limits
2 on the period of incarceration that may be imposed for a technical violation established [in
3 paragraph (2) of this subsection] **UNDER SUBSECTION (D)(2) OF THIS SECTION** are
4 applicable.

5 **[(ii)] (2)** The presumption may be rebutted if the court finds and
6 states on the record, after consideration of the following factors, that adhering to the limits
7 on the period of incarceration established under [paragraph (2) of this subsection]
8 **SUBSECTION (D)(2) OF THIS SECTION** would create a risk to public safety, a victim, or a
9 witness:

10 **[1.] (I)** the nature of the probation violation;

11 **[2.] (II)** the facts and circumstances of the crime for which
12 the probationer or defendant was convicted; and

13 **[3.] (III)** the probationer's or defendant's history.

14 **[(iii)] (3)** On finding that adhering to the limits would create a risk
15 to public safety, a victim, or a witness under [subparagraph (ii) of this paragraph]
16 **PARAGRAPH (2) OF THIS SUBSECTION**, the court may:

17 **[1.] (I)** direct imposition of a longer period of incarceration
18 than provided [in paragraph (2) of this subsection] **UNDER SUBSECTION (D)(2) OF THIS**
19 **SECTION**, but no more than the time remaining on the original sentence; or

20 **[2.] (II)** commit the probationer or defendant to the
21 Maryland Department of Health for treatment under § 8-507 of the Health – General
22 Article.

23 **[(iv)] (4)** A finding under [subparagraph (ii) of this paragraph]
24 **PARAGRAPH (2) OF THIS SUBSECTION** or an action under [subparagraph (iii) of this
25 paragraph] **PARAGRAPH (3) OF THIS SUBSECTION** is subject to appeal under Title 12,
26 Subtitle 3 or [Title 12,] Subtitle 4 of the Courts Article.

27 DRAFTER'S NOTE:

28 Error: Stylistic and tabulation errors in § 6-223(d)(2)(i) and (3) of the Criminal
29 Procedure Article.

30 Occurred: Ch. 515, § 2, Acts of 2016.

31 6-224.

32 (c) (2) (iv) A finding under subparagraph (ii) of this paragraph or an action

1 under subparagraph (iii) of this paragraph is subject to appeal under Title 12, Subtitle 3 or
2 [Title 12,] Subtitle 4 of the Courts Article.

3 DRAFTER'S NOTE:

4 Error: Stylistic error in § 6-224(c)(2)(iv) of the Criminal Procedure Article.

5 Occurred: Ch. 515, § 2, Acts of 2016.

6 10-110.

7 (a) A person may file a petition listing relevant facts for expungement of a police
8 record, court record, or other record maintained by the State or a political subdivision of
9 the State if the person is convicted of a misdemeanor that is a violation of:

10 (19) § 4-411 or § 4-2005 of the [Human Services] **HOUSING AND**
11 **COMMUNITY DEVELOPMENT** Article;

12 DRAFTER'S NOTE:

13 Error: Incorrect cross-reference in § 10-110(a)(19) of the Criminal Procedure Article.

14 Occurred: Ch. 515, § 2, Acts of 2016.

15 11-912.

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

17 (2) 14 persons appointed by the Governor as follows:

18 (v) one representative of the Maryland State [Sheriff's] **SHERIFFS'**

19 Association; and

20 DRAFTER'S NOTE:

21 Error: Misnomer in § 11-912(a)(2)(v) of the Criminal Procedure Article.

22 Occurred: Ch. 10, § 2, Acts of 2001.

23 16-210.

24 (d) (5) If the commissioner makes a final determination under [item]
25 **PARAGRAPH** (4)(i) of this subsection, the commissioner shall notify the individual in
26 writing of the determination.

27 DRAFTER'S NOTE:

Error: Stylistic error in § 16–210(d)(5) of the Criminal Procedure Article.

Occurred: Ch. 606, Acts of 2017.

Article – Economic Development

4 5-301.

DRAFTER'S NOTE:

Error: Erroneous cross-reference in § 5–301(j) of the Economic Development Article.

10 Occurred: As a result of Ch. 185, § 2, Acts of 2016, which transferred Title 5, Subtitle
11 5, Part VII of the Family Law Article to Title 9.5, Subtitle 4 of the Education Article.

12 6-801.

(j) "Tier I county" means:

14 (1) a qualified distressed county, as defined in § 1-101 of this article; or

DRAFTER'S NOTE:

18 Error: Stylistic errors in § 6–801(j)(2) of the Economic Development Article.

19 Occurred: Ch. 149, Acts of 2017.

20 12-605.

(d) (1) A majority of the voting members of the board [are] IS a quorum.

DRAFTER'S NOTE:

23 Error: Grammatical error in § 12–605(d)(1) of the Economic Development Article.

24 Occurred: Ch. 444, Acts of 2017.

Article – Education

1 3-2A-05.

2 (a) The student member shall:

3 (2) Be selected in the student's junior year by a method selected by the
4 Chesapeake Regional Association of Student Councils of Anne Arundel County; **AND**

5 DRAFTER'S NOTE:

6 Error: Omitted conjunction in § 3-2A-05(a)(2) of the Education Article.

7 Occurred: Ch. 596, Acts of 1993.

8 3-1004.

9 (b) Subject to the provisions of § 4-403 of this article, the affirmative vote of the
10 members of the county board for the passage of a motion by the county board shall be:

11 (1) Except as otherwise provided in item (2) of this subsection:

12 (ii) Seven members when the student member is not [voting.]

13 **VOTING; OR**

14 DRAFTER'S NOTE:

15 Error: Omitted conjunction in § 3-1004(b)(1)(ii) of the Education Article.

16 Occurred: Ch. 147, Acts of 2013.

17 4-201.

18 (c) (1) An individual may not be appointed as county superintendent unless
19 [he] **THE INDIVIDUAL:**

20 (i) Is eligible to be issued a certificate for the office by the State
21 Superintendent;

22 (ii) Has graduated from an accredited college or university; and

23 (iii) Has completed 2 years of graduate work at an accredited college
24 or university, including public school administration, supervision, and methods of teaching.

25 DRAFTER'S NOTE:

26 Error: Obsolete terminology in § 4-201(c)(1) of the Education Article.

27 Occurred: Ch. 22, Acts of 1978.

1 4-318.

2 (e) (1) In consultation with the Maryland Police Training **AND STANDARDS**
3 Commission, the Civil Service Commission of Baltimore City shall adopt:

4 (i) Requirements for education, training, human and public
5 relations skills, and moral character that an applicant must meet to qualify for employment
6 as a Baltimore City school police officer; and

7 (ii) Standards for the performance of duties.

8 DRAFTER'S NOTE:

9 Error: Obsolete terminology in § 4-318(e)(1) of the Education Article.

10 Occurred: As a result of Ch. 519, Acts of 2016.

11 9.5-803.

12 (c) (5) Any member who leaves the position with the organization or State
13 agency that the member represents on the Council shall automatically lose [their] **THE**
14 **MEMBER'S** appointment to the Council and the State Superintendent shall promptly
15 appoint a successor.

16 (d) From among the members of the Council, the State Superintendent shall
17 appoint a **[chairman] CHAIR**.

18 DRAFTER'S NOTE:

19 Error: Grammatical error in § 9.5-803(c)(5) of the Education Article and obsolete
20 terminology in § 9.5-803(d) of the Education Article.

21 Occurred: Ch. 394, Acts of 1991.

22 11-105.

23 (c) With respect to the community colleges, the Commission:

24 (3) Shall assist and represent the community colleges in seeking and
25 administering federal **[moneys] MONEY** available to them;

26 DRAFTER'S NOTE:

27 Error: Incorrect word usage in § 11-105(c)(3) of the Education Article.

28 Occurred: Ch. 464, Acts of 1991.

1 16–310.

2 (e) (3) The Commission may make payments to effectuate the provisions of
3 this [section] **SUBSECTION** from funds specifically appropriated for this purpose in the
4 State budget or any supplemental budget request.

5 DRAFTER'S NOTE:

6 Error: Erroneous internal reference in § 16–310(e)(3) of the Education Article.

7 Occurred: Ch. 404, Acts of 1989.

8 18–407.

9 (a) Each Senator shall award all of **THE** Senator's senatorial scholarships on or
10 before September 1 of each year.

11 DRAFTER'S NOTE:

12 Error: Omitted article in § 18–407(a) of the Education Article.

13 Occurred: As a result of a correction by the publisher of the Annotated Code made
14 under Ch. 43, § 5, Acts of 2013. The term "his" was replaced with "Senator" but the
15 necessary article was not included.

16 Subtitle 19. [College Savings Plans of Maryland] **MARYLAND 529 PROGRAM**.

17 18–1901.

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

19 DRAFTER'S NOTE:

20 Error: Obsolete language in the subtitle designation immediately preceding §
21 18–1901 of the Education Article.

22 Occurred: As a result of Ch. 39, Acts of 2016, which renamed the College Savings
23 Plans of Maryland Program to be the Maryland 529 Program but failed to amend the
24 subtitle designation to reflect the new name.

25 18–19A–01.

26 (c) "Board" means the [College Savings Plans of] Maryland **529** Board
27 established under § 18–1904 of this title.

28 DRAFTER'S NOTE:

1 Error: Obsolete language in § 18–19A–01(c) of the Education Article.

2 Occurred: As a result of Ch. 39, Acts of 2016, which renamed the College Savings
3 Plans of Maryland Board to be the Maryland 529 Board.

4 18–19B–01.

5 (c) “Board” means the [College Savings Plans of] Maryland **529** Board
6 established under § 18–1904 of this title.

7 DRAFTER’S NOTE:

8 Error: Obsolete language in § 18–19B–01(c) of the Education Article.

9 Occurred: As a result of Ch. 39, Acts of 2016, which renamed the College Savings
10 Plans of Maryland Board to be the Maryland 529 Board.

11 23–109.

12 (b) The Deaf Culture Digital Library shall:

13 (2) In coordination with the Governor’s Office of **THE** Deaf and Hard of
14 Hearing, develop and provide sensitivity training for State and county library staff to help
15 them better understand deaf patrons and their needs;

16 (5) Develop partnerships and strategic alliances with other entities,
17 including:

18 (i) The Governor’s Office [for] **OF** the Deaf and Hard of Hearing;

19 (7) Form a Deaf Culture Digital Library Advisory Board to provide advice
20 on initiatives that further advance the mission and goals of the Deaf Culture Digital
21 Library and the majority of whose members are deaf or hard of hearing and selected from
22 the following entities:

23 (iii) The Governor’s Office [for] **OF** the Deaf and Hard of Hearing;

24 (v) Other organizations as agreed on by the Governor’s Office [for]
25 **OF** the Deaf and Hard of Hearing and the State Library Agency; and

26 DRAFTER’S NOTE:

27 Error: Omitted article in § 23–109(b)(2) of the Education Article; and misnomer in §
28 23–109(b)(5)(i) and (7)(iii) and (v) of the Education Article.

Occurred: Ch. 606, Acts of 2014.

Article – Election Law

3 4-203.

(c) (2) For the Baltimore County Democratic Party Central Committee:

DRAFTER'S NOTE:

Error: Stylistic error in § 4–203(c)(2)(i) of the Election Law Article.

10 Occurred: Ch. 691, Acts of 2013.

11 5-305.

12 (c) (2) Judicial review of any petition that is filed under subsection (b) of this
13 section shall be expedited by the circuit court that hears the cause to the extent necessary
14 in consideration of the deadlines established by law, and in no [case,] CASE longer than 7
15 days from the date the petition is filed.

DRAFTER'S NOTE:

Error: Extraneous comma in § 5–305(c)(2) of the Election Law Article.

18 Occurred: Ch. 338, Acts of 2004.

19 5-701.

20 Nominations for public offices that are filled by elections governed by this article
21 shall be made:

22 (3) in accordance with the constitution and [by-laws] **BYLAWS** of the
23 political party, for candidates of a political party that does not nominate by party primary.

DRAFTER'S NOTE:

25 Error: Extraneous hyphen in § 5–701(3) of the Election Law Article.

26 Occurred: Ch. 120, Acts of 2006.

27 6-103.

(b) (1) The State Board shall:

2 (ii) design and arrange to have sample forms available to the public
3 conforming to this [subtitle] TITLE for each purpose for which a petition is authorized by
4 law.

DRAFTER'S NOTE:

Error: Erroneous internal reference in § 6–103(b)(1)(ii) of the Election Law Article.

Occurred: Ch. 291, § 4, Acts of 2002.

8 10-303.

(a) Under the supervision of a chief judge, an election judge shall:

(2) take measures throughout election day to [assure] **ENSURE** that:

- (i) each voter's right to cast a ballot in privacy is maintained;

(ii) the integrity of the voting process is preserved;

(iii) the accuracy of the counting process is protected;

(iv) order in the polling place is maintained; and

(v) all election laws are observed.

DRAFTER'S NOTE:

Error: Incorrect word usage in § 10–303(a)(2) of the Election Law Article.

Occurred: Ch. 291, § 4, Acts of 2002.

19 12-103.

(b) The petition shall specify that the recount be conducted:

(1) in all of the precincts in which the [office] QUESTION was on the ballot;

DRAFTER'S NOTE:

24 Error: Incorrect word in § 12–103(b)(1) of the Election Law Article.

25 Occurred: Ch. 291, § 4, Acts of 2002.

1 13–247.

2 After all campaign expenditures have been made and before filing a final campaign
3 finance report under Subtitle 3 of this title, any remaining balance in the account of a
4 campaign finance entity shall be returned pro rata to the contributors or paid to:

5 (1) if the campaign finance entity is a political committee formed to support
6 a candidate or act for a political party:

7 (ii) the local central committee of the political party:

8 2. for which the political committee is acting; OR

9 DRAFTER'S NOTE:

10 Error: Omitted conjunction in § 13–247(1)(ii)2 of the Election Law Article.

11 Occurred: Ch. 291, § 4, Acts of 2002.

12 13–307.

13 (e) An electioneering communication report shall include the following
14 information:

15 (4) the candidate or ballot issue to which the electioneering
16 communications relate; AND

17 DRAFTER'S NOTE:

18 Error: Omitted conjunction in § 13–307(e)(4) of the Election Law Article.

19 Occurred: Ch. 575, Acts of 2011.

20 13–309.1.

21 (c) For purposes of this section, a political action committee shall be considered
22 to have made an expenditure if the political ACTION committee has executed a contract to
23 make an expenditure.

24 DRAFTER'S NOTE:

25 Error: Misnomer in § 13–309.1(c) of the Election Law Article.

26 Occurred: Ch. 419, Acts of 2013.

27 13–336.

1 Subject to § 13–337 of this subtitle, the provisions of [Part VI and this Part VII] **THIS**
2 **PART AND PART VI** of this subtitle and the provisions of this subtitle governing the filing
3 of campaign finance reports are mandatory and not directory.

4 DRAFTER'S NOTE:

5 Error: Stylistic error in § 13–336 of the Election Law Article.

6 Occurred: Ch. 291, § 4, Acts of 2002.

Article – Environment

8 4-202.1.

15 DRAFTER'S NOTE:

16 Error: Erroneous internal reference in § 4–202.1(c)(2)(i)2 of the Environment Article.

17 Occurred: Ch. 124, Acts of 2015.

18 9-349.

19 (b) Loan assistance may be awarded to a person under this section if:

20 (1) An agreement is executed by the person that:

25 DRAFTER'S NOTE:

26 Error: Grammatical error and incorrect word usage in § 9–349(b)(1)(ii) of the
27 Environment Article.

28 Occurred: Ch. 795, Acts of 1984.

29 9-1605.3.

1 (f) (2) For financial assistance over \$500,000 awarded under the Fund, the
2 grantee shall demonstrate, to the satisfaction of the Department, that steps were taken to
3 include small businesses, certified minority business enterprises, and certified minority
4 business enterprises classified as women-owned businesses by:

5 (iv) Establishing delivery schedules, where the requirement permits,
6 that encourage participation by small businesses, certified minority business enterprises,
7 **AND CERTIFIED MINORITY BUSINESS ENTERPRISES** classified as women-owned
8 businesses; and

9 DRAFTER'S NOTE:

10 Error: Omitted words in § 9–1605.3(f)(2)(iv) of the Environment Article.

11 Occurred: Ch. 653, Acts of 2010.

Article – Estates and Trusts

13 4-503.

14 (a) Subject to § 4–506 of this subtitle, an anatomical gift may be made during the
15 life of a donor for the purpose of transplantation, therapy, research, or education by:

16 (1) (ii) A donor who is a minor, if the minor is:

19 DRAFTER'S NOTE:

20 Error: Capitalization error in § 4–503(a)(1)(ii)2 of the Estates and Trusts Article.

21 Occurred: Ch. 541, § 2, Acts of 2011.

22 7-602.

23 (c) If the court shall allow a counsel fee to one or more attorneys, it shall take into
24 consideration in making its [determination,] **DETERMINATION** what would be a fair and
25 reasonable total charge for the cost of administering the estate under this article, and it
26 shall not allow aggregate compensation in excess of that figure.

27 DRAFTER'S NOTE:

28 Error: Extraneous comma in § 7–602(c) of the Estates and Trusts Article.

29 Occurred: Ch. 11, § 2, Acts of 1974.

1 10–103.

2 (b) (1) Except as provided in § 10–102 of this subtitle and § 7–308 of the Tax –
3 General Article, the right of a person seeking to recover property improperly distributed,
4 or the value of it, from a person to whom property has been distributed is forever barred at
5 the later of:

6 (i) Three years from the death of **THE** decedent; or

7 DRAFTER'S NOTE:

8 Error: Omitted article in § 10–103(b)(1)(i) of the Estates and Trusts Article.

9 Occurred: Ch. 11, § 2, Acts of 1974.

10 13–711.

11 (b) “Best interest” means that the benefits to the disabled person resulting from
12 a treatment outweigh the burdens to the disabled person resulting from that treatment,
13 taking into account:

14 (3) The degree to which the disabled person’s medical condition, the
15 treatment, or the withholding or withdrawal of treatment[, result] **RESULTS** in a severe
16 and continuing impairment of the dignity of the disabled person by subjecting the
17 individual to a condition of extreme humiliation and dependency;

18 DRAFTER'S NOTE:

19 Error: Extraneous comma and grammatical error in § 13–711(b)(3) of the Estates
20 and Trusts Article.

21 Occurred: Ch. 372, § 2, Acts of 1993.

22 14–402.

23 (b) (3) A trust may be used to [assure] **ENSURE** that trust property is
24 available to provide for the needs of the beneficiary to the extent not provided for by other
25 sources, including public and private benefit programs for which the beneficiary would or
26 might be eligible if the trust did not exist.

27 DRAFTER'S NOTE:

28 Error: Incorrect word usage in § 14–402(b)(3) of the Estates and Trusts Article.

29 Occurred: Ch. 418, Acts of 1994.

1 14.5–105.

2 The terms of a trust prevail over a provision of this title, except:

3 (7) The power of the court under § 14.5–702 of this title to require, dispense
4 with, [modify] **MODIFY**, or terminate a bond;

5 DRAFTER'S NOTE:

6 Error: Omitted comma in § 14.5–105(7) of the Estates and Trusts Article.

7 Occurred: Ch. 585, Acts of 2014.

8 **Article – Financial Institutions**

9 11–222.

10 Any person who violates any provision of [§ 11–204(a)] **§ 11–203.1(A)** of this subtitle
11 is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$5,000 or
12 imprisonment not exceeding 3 years or both.

13 DRAFTER'S NOTE:

14 Error: Obsolete cross-reference in § 11–222 of the Financial Institutions Article.

15 Occurred: As a result of Ch. 253, Acts of 2017.

16 **Article – General Provisions**

17 5–209.

18 (c) Notwithstanding any other provision of this title, the records of the Ethics
19 Commission in any matter in which an exemption is granted under this [section] **TITLE**
20 shall be available for public inspection.

21 DRAFTER'S NOTE:

22 Error: Erroneous reference in § 5–209(c) of the General Provisions Article.

23 Occurred: Ch. 94, § 2, Acts of 2014, which revised without substantive change the
24 Maryland Public Ethics Law codified under Title 5 of the General Provisions Article (GP).
25 GP, § 5–209 authorizes the State Ethics Commission to exempt from the Maryland Public
26 Ethics Law a board, board member, or municipality after making specified findings. Other
27 provisions of GP, Title 5 authorize the Commission to grant various other exemptions from
28 the Public Ethics Law (see, e.g., GP, § 5–502(d), authorizing the Commission to grant public
29 officials or employees of the Executive Branch an exemption from certain employment
30 restrictions if it makes specified determinations).

1 Under GP, § 5–209(c), records of an exemption granted by the Commission to a board,
2 board member, or municipality are subject to public inspection. This public inspection
3 requirement does not expressly apply to other exemptions that the Commission may grant.
4 Under the source law for GP, § 5–209(c) (former § 15–209 of the State Government Article),
5 however, the public inspection requirement applied to “an exemption ... granted under this
6 title [former Title 15 of the State Government Article, the Public Ethics Law]” and was
7 interpreted by the Commission to apply to all exemptions granted by the Commission.
8 Section 4 of Chapter 94 of 2014 stated expressly that “... this Act shall be construed as a
9 nonsubstantive revision, and may not otherwise be construed to render any substantive
10 change in the law of the State”. As a result, the application of the public inspection
11 requirement under GP, § 5–209(c) is amended to apply to all exemptions granted by the
12 Commission under the Public Ethics Law, to be consistent with Commission interpretation
13 of the Public Ethics Law before enactment of Chapter 94 of 2014 and to conform to current
14 and past practice.

15 5–505.

16 (a) (2) An official may not directly solicit or facilitate the solicitation of a gift,
17 on behalf of another person, from an individual regulated lobbyist described in
18 [§ 5–701(a)(1)] **§ 5–702(A)(1)** of this title.

19 DRAFTER’S NOTE:

20 Error: Erroneous cross-reference in § 5–505(a)(2) of the General Provisions Article.

21 Occurred: As a result of Ch. 94, § 2, Acts of 2014, which added a new § 5–701 to the
22 General Provisions Article that resulted in the renumbering of the succeeding sections.

23 5–514.

24 (b) (3) The Joint Ethics Committee may adopt procedures to keep confidential
25 the name of the person represented in a report filed under [subsection (b)(1)(i) of this
26 section] **PARAGRAPH (1)(I) OF THIS SUBSECTION** if that information is privileged or
27 confidential under any law governing proceedings before that State or local government
28 agency.

29 DRAFTER’S NOTE:

30 Error: Stylistic error in § 5–514(b)(3) of the General Provisions Article.

31 Occurred: Ch. 94, § 2, Acts of 2014.

32 **Article – Health – General**

33 5–621.

1 The Secretary may adopt regulations to ensure the efficient operation of the
2 **ADVANCE DIRECTIVE** Program.

3 DRAFTER'S NOTE:

4 Error: Stylistic error in § 5–621 of the Health – General Article.

5 Occurred: Ch. 510, Acts of 2016.

6 13–1007.

7 (b) Subject to subsections (c) through (e) of this section and §§ 13–1008 through
8 13–1012 of this subtitle, the Department shall distribute a Local Public Health Tobacco
9 Grant to each county that is equal to the sum of:

10 (2) The product of:

11 (ii) The number of individuals in the county [under the age of 18
12 years] **ATTENDING MIDDLE SCHOOL OR HIGH SCHOOL** who smoke or otherwise use
13 tobacco products divided by the number of individuals in the State [under the age of 18
14 years] **ATTENDING MIDDLE SCHOOL OR HIGH SCHOOL** who smoke or otherwise use
15 tobacco products; and

16 DRAFTER'S NOTE:

17 Error: Inconsistent language in § 13–1007(b)(2)(ii) of the Health – General Article.

18 Occurred: As a result of Ch. 139, Acts of 2017.

19 13–1008.

20 (c) A Comprehensive Plan for Tobacco Use Prevention and Cessation shall:

21 (8) Describe how the Plan will help to reduce tobacco use among women,
22 minority individuals, and individuals [under the age of 18 years] **ATTENDING MIDDLE**
23 **SCHOOL OR HIGH SCHOOL**, with particular emphasis on how the Plan seeks to address
24 the relevant findings and recommendations of the Task Force Report;

25 DRAFTER'S NOTE:

26 Error: Inconsistent language in § 13–1008(c)(8) of the Health – General Article.

27 Occurred: As a result of Ch. 139, Acts of 2017.

28 16–201.3.

6 (i) Object 08 Contractual Services in Program [M00Q01.01]
7 **M00Q01.10** Medicaid Behavioral Health Provider Reimbursement – Medical Care
8 Programs Administration;

9 DRAFTER'S NOTE:

10 Error: Erroneous cross-reference in § 16-201.3(d)(2)(i) of the Health – General
11 Article.

12 Occurred: Chs. 571 and 572, § 2, Acts of 2017.

16 DRAFTER'S NOTE:

17 Error: Erroneous internal reference in § 16–201.3(h)(3) of the Health – General
18 Article.

19 Occurred: Chs. 571 and 572, § 2, Acts of 2017.

20 19-347.

23 (ii) Attempt to [insure] **ENSURE** the protection of the alleged victim.

24 DRAFTER'S NOTE:

25 Error: Incorrect word usage in § 19-347(d)(1)(ii) of the Health – General Article.

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

27 20-1004.

28 The Office shall:

29 (21) Work collaboratively with the **GOVERNOR'S** Office of Small, Minority,
30 and Women Business Affairs as the Office determines necessary; and

1 DRAFTER'S NOTE:

2 Error: Omitted word in § 20–1004(21) of the Health – General Article.

3 Occurred: Chs. 633 and 634, Acts of 2017.

4 24–307.

5 (c) (3) A conviction for a violation of this section precludes a proceeding for a
6 civil penalty under [§ 24–307 of the Health – General Article] **§ 10–107 OF THE CRIMINAL**
7 **LAW ARTICLE** arising out of the same violation.

8 DRAFTER'S NOTE:

9 Error: Erroneous cross-reference in § 24–307(c)(3) of the Health – General Article.

10 Occurred: Ch. 773, Acts of 2017.

11 **Article – Health Occupations**

12 1–301.

13 (c) (2) “Compensation arrangement” does not include:

14 (viii) Payments made for the sale of property or a health care practice

15 if the payments are:

16 3. [The remuneration is provided] **PROVIDED** in accordance

17 with an agreement that would be commercially reasonable even if no referrals were made.

18 DRAFTER'S NOTE:

19 Error: Extraneous language in § 1–301(c)(2)(viii)3 of the Health Occupations Article.

20 Occurred: Ch. 229, Acts of 2000.

21 1–302.

22 (e) A health care practitioner exempted from the provisions of this section in
23 accordance with subsection (d) **OF THIS SECTION** shall be subject to the disclosure
24 provisions of § 1–303 of this subtitle.

25 DRAFTER'S NOTE:

26 Error: Stylistic error in § 1–302(e) of the Health Occupations Article.

1 Occurred: Ch. 376, § 2, Acts of 1993.

2 2–202.

3 (c) **[The] A consumer [members] MEMBER** of the Board:

4 (1) Shall be a member of the general public;

5 (2) May not be or ever have been an audiologist, hearing aid dispenser,
6 speech–language pathologist, or speech–language pathology assistant, or in training to
7 become an audiologist, hearing aid dispenser, speech–language pathologist, or
8 speech–language pathology assistant;

9 (3) May not have a household member who is an audiologist, hearing aid
10 dispenser, or speech–language pathologist or in training to become an audiologist, hearing
11 aid dispenser, or speech–language pathologist;

12 (4) May not participate or ever have participated in a commercial or
13 professional field related to audiology, hearing aid dispensing, or speech–language
14 pathology;

15 (5) May not have a household member who participates in a commercial or
16 professional field related to audiology, hearing aid dispensing, or speech–language
17 pathology; and

18 (6) May not have had within 2 years before appointment a substantial
19 financial interest in a person regulated by the Board.

20 DRAFTER'S NOTE:

21 Error: Grammatical error in § 2–202(c) of the Health Occupations Article.

22 Occurred: Ch. 326, § 3, Acts of 1992.

23 4–101.

24 (h) (2) "License" includes, unless the context requires otherwise:

25 (xi) A temporary **VOLUNTEER** dental hygienist's license to practice
26 dental hygiene.

27 DRAFTER'S NOTE:

28 Error: Omitted word in § 4–101(h)(2)(xi) of the Health Occupations Article.

29 Occurred: Chs. 496 and 497, Acts of 2011.

Article – Human Services

2 3-101.

3 (f) "Local governing authority" means:

4 (2) in references to purely legislative authority:

5 (iii) the City Council of Baltimore City; OR

6 DRAFTER'S NOTE:

7 Error: Omitted conjunction in § 3-101(f)(2)(iii) of the Human Services Article.

8 Occurred: Ch. 3, § 2, Acts of 2007.

9 9-312.

10 (c) The Interstate Commission may, by majority vote of the members, initiate
11 legal action in the United States District Court for the District of Columbia or, at the
12 discretion of the Interstate Commission, in the federal district where the Interstate
13 Commission has its offices, to enforce compliance with the provisions of the Compact, its
14 duly promulgated rules and bylaws, against any compacting state in default. In the event
15 judicial enforcement is necessary, the prevailing party shall be awarded all costs of such
16 litigation including reasonable [attorneys'] ATTORNEY'S fees.

17 DRAFTER'S NOTE:

18 Error: Grammatical error in § 9-312(c) of the Human Services Article.

19 Occurred: Ch. 500, § 2, Acts of 2007.

20 9-406.

21 (c) The State is entitled to recover the sum of:

22 (2) all costs and reasonable [attorneys'] ATTORNEY'S fees incurred in the
23 recovery proceedings.

24 DRAFTER'S NOTE:

25 Error: Grammatical error in § 9-406(c)(2) of the Human Services Article.

26 Occurred: Ch. 3, § 2, Acts of 2007.

27 9-407.

5 DRAFTER'S NOTE:

6 Error: Grammatical error in § 9-407(b)(2) of the Human Services Article.

7 Occurred: Ch. 3, § 2, Acts of 2007.

8 10-413.

9 (a) (2) A renewal application shall contain:

10 (iv) a cash flow projection for the current fiscal year and the next
11 [two] 2 fiscal years;

12 DRAFTER'S NOTE:

13 Error: Stylistic error in § 10-413(a)(2)(iv) of the Human Services Article.

14 Occurred: Ch. 3, § 2, Acts of 2007.

15 10-445.

16 (b) The provider shall maintain the continuing care agreement at the facility and
17 make it available for inspection by the Maryland Department of Health under Title 19,
18 Subtitle 18[of the Health – General Article] and Title 10, Subtitle 3 of the Health –
19 General Article.

20 DRAFTER'S NOTE:

21 Error: Stylistic error in § 10-445(b) of the Human Services Article.

22 Occurred: Ch. 750, Acts of 2009.

23 10-507.

24 (b) The State is entitled to recover the sum of:

25 (2) costs, including reasonable [attorneys'] ATTORNEY'S fees that the
26 State incurs in recovery proceedings.

27 DRAFTER'S NOTE:

28 Error: Grammatical error in § 10–507(b)(2) of the Human Services Article.

1 Occurred: Ch. 3, § 2, Acts of 2007.

2 10–508.

3 (b) (2) The temporary lien shall be in the amount of the State's claim, plus any
4 additional amount estimated to be necessary to cover the costs and reasonable [attorneys']
5 **ATTORNEY'S** fees incurred by the State, or another amount that the court determines is
6 reasonable.

7 DRAFTER'S NOTE:

8 Error: Grammatical error in § 10–508(b)(2) of the Human Services Article.

9 Occurred: Ch. 3, § 2, Acts of 2007.

10 **Article – Insurance**

11 4–303.

12 (b) If a domestic insurer files an RBC report that, in the judgment of the
13 [Commissioner] **COMMISSIONER**, is inaccurate, the Commissioner shall:

14 (1) adjust the RBC report to correct the inaccuracy; and

15 (2) notify the insurer of the adjustment, including a statement of the
16 reason for the adjustment.

17 DRAFTER'S NOTE:

18 Error: Omitted comma in § 4–303(b) of the Insurance Article.

19 Occurred: Ch. 339, Acts of 1995.

20 5–306.

21 (e) (1) (iii) "Plan Type B" means a plan type under which:

22 2. at the end of **THE** interest rate guarantee, the policyholder
23 may withdraw funds without the adjustment required by item 1A of this subparagraph in
24 a single sum or installments over less than 5 years.

25 DRAFTER'S NOTE:

26 Error: Omitted article in § 5–306(e)(1)(iii)2 of the Insurance Article.

27 Occurred: Ch. 36, Acts of 1995.

1 8–419.

2 (a) A society may amend **THE SOCIETY'S LAWS**, in accordance with [their] **THE**
3 **provisions[, its laws] OF THOSE LAWS**, by:

4 (1) action of its supreme legislative or governing body at a regular or
5 special meeting of the body; or

6 (2) referendum.

7 DRAFTER'S NOTE:

8 Error: Stylistic errors in § 8–419(a) of the Insurance Article.

9 Occurred: As result of Ch. 183, Acts of 1997.

10 9–414.

11 (g) (3) (ii) A person that was an affiliate that controlled the insurer when
12 the distributions described under paragraph (1) of this subsection were [declared,]
13 **DECLARED** is liable up to the amount of distributions the person would have received if
14 [they] **THE DISTRIBUTIONS** had been paid immediately.

15 DRAFTER'S NOTE:

16 Error: Extraneous comma and stylistic error in § 9–414(g)(3)(ii) of the Insurance
17 Article.

18 Occurred: Ch. 11, Acts of 1996.

19 10–108.

20 (d) Before taking a written examination, an individual applicant shall:

21 (1) (ii) submit to the Commissioner at the time of the examination an
22 affidavit from the employer of the applicant stating facts that show compliance with the
23 applicable requirements of [§ 10–104(f)(2) or (3)] **§ 10–104(H)(2) OR (3)** of this subtitle, if
24 the applicant qualifies by meeting the experience requirements of [§ 10–104(f)(2) or (3)] **§**
25 **10–104(H)(2) OR (3)** of this subtitle; and

26 DRAFTER'S NOTE:

27 Error: Erroneous cross-reference in § 10–108(d)(1)(ii) of the Insurance Article.

28 Occurred: As a result of Ch. 731, Acts of 2001, which renumbered § 10–104(e) of the

1 Insurance Article to be § 10–104(h), and erroneous correction by the publisher in the 2017
2 Supplement to the Insurance Article under Ch. 62, § 6, Acts of 2017, in which the
3 cross-reference was changed from § 10–104(e)(2) or (3) of the Insurance Article to §
4 10–104(f)(2) or (3).

5 10–111.

6 (b) An applicant who has experience in the armed forces of the United States and
7 qualifies under [§ 10–104(f)(3)] **§ 10–104(H)(3)** of this subtitle must file an application
8 within 1 year after the date of discharge from the armed forces.

9 DRAFTER'S NOTE:

10 Error: Erroneous cross-reference in § 10–111(b) of the Insurance Article.

11 Occurred: As a result of Ch. 731, Acts of 2001, which renumbered § 10–104(e) of the
12 Insurance Article to § 10–104(h), and erroneous correction by the publisher in the 2017
13 Supplement to the Insurance Article under Ch. 62, § 6, Acts of 2017, in which the
14 cross-reference was changed from § 10–104(e)(3) of the Insurance Article to § 10–104(f)(3).

15 10–118.

16 (i) (1) This subsection applies only to any document, material, or other
17 information in the control or possession of the Insurance Administration that is:

18 (ii) otherwise obtained by the [Insurance] Commissioner in an
19 investigation under this section.

20 DRAFTER'S NOTE:

21 Error: Extraneous language in § 10–118(i)(1)(ii) of the Insurance Article.

22 Occurred: Ch. 731, Acts of 2001.

23 15–121.

24 (a) (6) (ii) "Provider" includes:

25 6. a professional office; [or] AND

26 DRAFTER'S NOTE:

27 Error: Stylistic error in § 15–121(a)(6)(ii)6 of the Insurance Article.

28 Occurred: Ch. 145, Acts of 1997.

29 15–123.

(a) (7) (ii) "Provider" includes:

6. a professional office; [or] AND

DRAFTER'S NOTE:

Error: Stylistic error in § 15–123(a)(7)(ii)6 of the Insurance Article.

Occurred: Ch. 332, Acts of 1997.

6 15-1212.

(b) Changes in benefits made in accordance with federal or State requirements not subject to the plus or minus 2 percentage points referenced in [subsection (a)(4)(ii)5 as section] **45 C.F.R. § 147.106(E)(3)(V)**.

DRAFTER'S NOTE:

Error: Obsolete cross-reference in § 15–1212(b) of the Insurance Article.

Occurred: As a result of Ch. 720, Acts of 2017.

13 15-1309.

(b) Changes in benefits made to comply with federal or State requirements are subject to the plus or minus 2 percentage points referenced in [subsection (a)(4)(ii)5 of section] **45 C.F.R. § 147.106(E)(3)(v)**.

DRAFTER'S NOTE:

Error: Obsolete cross-reference in § 15–1309(b) of the Insurance Article.

Occurred: As a result of Ch. 720, Acts of 2017.

20 15-1402.

(b) [Except as provided in § 15–1403 of this subtitle, this] **THIS** subtitle does not apply to policies issued under Subtitle 12 of this title.

DRAFTER'S NOTE:

Error: Obsolete cross-reference in § 15–1402(b) of the Insurance Article.

Occurred: As a result of Ch. 363, Acts of 2015.

1 19–112.

2 (a) The Commissioner may request by bulletin from a property and casualty
3 [insurer,] **INSURER** data that relates to policies written by the insurer.

4 DRAFTER'S NOTE:

5 Error: Extraneous comma in § 19–112(a) of the Insurance Article.

6 Occurred: Ch. 693, Acts of 2000.

7 19–804.

8 (c) (2) Any disbursements from the Rate Stabilization Account to a medical
9 professional liability insurer that [is] **ARE** not used to provide a rate reduction, credit, or
10 refund to a health care provider shall be returned to the State Treasurer for reversion to
11 the Fund.

12 DRAFTER'S NOTE:

13 Error: Grammatical error in § 19–804(c)(2) of the Insurance Article.

14 Occurred: Ch. 1, Acts of 2005.

15 24–211.

16 (a) (1) Not later than June 30 of each year, the Society shall report to the
17 Commissioner and to the General Assembly:

18 [(1)] (I) salaries and other compensation paid to officers, executives, and
19 directors for the preceding calendar year;

20 [(2)] (II) A summary and detailed financial statement for the four
21 preceding calendar years indicating amounts for and changes in:

22 [(i)] 1. insurance reserves and losses;

23 [(ii)] 2. assets and liabilities;

24 [(iii)] 3. income and expenses; and

25 [(iv)] 4. return on invested surplus; and

26 [(3)] (III) management's evaluation of the financial position of the Society
27 [which].

6 DRAFTER'S NOTE:

7 Error: Tabulation error and omitted article in § 24–211(a) of the Insurance Article.

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

9 31-113.

10 (q) Nothing in this section shall prohibit a community-based organization or a
11 unit of State or local government from providing the consumer assistance services described
12 in subsection (c) of this section that are not required to be provided by an Individual
13 Exchange navigator, if the entity providing the services and its employees do not:

14 (3) identify themselves to the public as [an] Individual Exchange connector
15 entities or Individual Exchange navigators.

16 DRAFTER'S NOTE:

17 Error: Extraneous article in § 31–113(q)(3) of the Insurance Article.

18 Occurred: Ch. 152, § 3, Acts of 2012.

Article – Labor and Employment

20 3-413.

23 (2) TO each other employee who is subject to this subtitle, at least:

24 (i) the greater of:

25 1. the highest minimum wage under the federal Act; or

(ii) a training wage under regulations that the Commissioner adopts that include the conditions and limitations authorized under the federal Fair Labor Standards Amendments of 1989.

1 DRAFTER'S NOTE:

2 Error: Grammatical error in § 3–413(b)(2) of the Labor and Employment Article.

3 Occurred: Ch. 22, Acts of 1992.

4 8–617.

5 (f) [(1)] In accordance with regulations adopted to carry out this title, the
6 Secretary shall notify each not for profit organization of any determination that the
7 Secretary makes about:

8 [(i)] (1) its status as an employing unit; or

9 [(ii)] (2) the effective date of an election or termination of election.

10 DRAFTER'S NOTE:

11 Error: Stylistic error in § 8–617(f) of the Labor and Employment Article.

12 Occurred: Ch. 8, § 2, Acts of 1991. Correction by the publisher of the Annotated Code
13 in the 2017 Supplement of the Labor and Employment Article is ratified by this Act.

14 8–806.

15 (e) (1) A determination is final as to a claimant and an employer who is
16 entitled to notice of the determination unless:17 (ii) after the time for an appeal on an initial determination has
18 passed, the Secretary [may make] MAKES a redetermination under subsection (f) of this
19 section.

20 DRAFTER'S NOTE:

21 Error: Grammatical error in § 8–806(e)(1)(ii) of the Labor and Employment Article.

22 Occurred: Ch. 8, § 2, Acts of 1991.

23 9–234.

24 (b) An individual who is a covered employee under subsection (h)(2), (k), (n),
25 (o)(2), (p)(1)(ii), [(r)(3),] (R)(2), (v), or (x)(1) of this section continues to be a covered
26 employee while:27 (1) accompanying an accident or fire victim who is being transported to a
28 hospital in a helicopter; and

(2) returning to the home station of the individual after accompanying a victim under item (1) of this subsection.

3 DRAFTER'S NOTE:

4 Error: Obsolete cross-reference in § 9-234(b) of the Labor and Employment Article.

5 Occurred: As a result of Ch. 36, Acts of 2008. Correction suggested by the Office of
6 the Attorney General, Counsel to the General Assembly in a memorandum dated
7 September 15, 2017.

8 11-902.

9 (b) (2) The regulations adopted by the Council shall:

10 (ii) apply only to any inmate who:

13 (iii) require any inmate who is not exempted under item (ii)3 of this
14 paragraph to participate in:

15 2. a workforce skills training program[; and].

18 DRAFTER'S NOTE:

19 Error: Incorrect tabulation in § 11-902(b)(2)(iv) of the Labor and Employment
20 Article.

21 Occurred: Ch. 134, Acts of 2008.

Article – Natural Resources

23 4-701.

24 (k) (4) (i) On the death of a licensee, the Department shall review and may
25 approve the permanent transfer of a license or authorization to the person indicated on the
26 beneficiary form submitted by the deceased licensee at the time of issuance **[on] OF** the
27 license.

28 DRAFTER'S NOTE:

Error: Incorrect word usage in § 4–701(k)(4)(i) of the Natural Resources Article.

Occurred: Ch. 435, Acts of 2012.

3 5-101.

(f) "Forest stewardship plan" means a document written by a professional forester who is licensed under Title 7, Subtitle 3 of the Business Occupations and Professions Article, regarding a parcel of land [comprised of] **COMPRISING** not less than 5 contiguous forested acres that lists activities that enhance or improve forest resources, including soil, water, timber, recreation, and aesthetics over a 15-year period.

DRAFTER'S NOTE:

Error: Incorrect word usage in § 5–101(f) of the Natural Resources Article.

Occurred: Ch. 175, Acts of 2009.

12 8-403.

(a) (1) There is a Scenic and Wild Rivers Review Board. The Board consists of Secretaries of Natural Resources, Agriculture, [and] the [Environment] RONMENT, and [the Director of Planning] PLANNING, and a member of the Garrett County Commissioners, who shall be a voting member of the Board only on matters relating to the wild portion of the Youghiogheny River.

DRAFTER'S NOTE:

Error: Stylistic error and misnomer in § 8–403(a)(1) of the Natural Resources Article.

20 Occurred: As a result of Ch. 209, Acts of 2000, which renamed the Office of Planning
21 to be the Department of Planning and specified that the head of the department is the
22 Secretary of Planning.

Article – Public Safety

24 3-511.

On or before January 1, 2016, the Maryland Police Training AND STANDARDS commission shall develop and publish online a policy for the issuance and use of a -worn camera by a law enforcement officer that addresses:

28 (1) the testing of body-worn cameras to ensure adequate functioning;

(2) the procedure for the law enforcement officer to follow if the camera fails to properly operate at the beginning of or during the law enforcement officer's shift;

- (3) when recording is mandatory;
 - (4) when recording is prohibited;
 - (5) when recording is discretionary;
 - (6) when recording may require consent of a subject being recorded;
 - (7) when a recording may be ended;
 - (8) providing notice of recording;
 - (9) access to and confidentiality of recordings;
 - (10) the secure storage of data from a body-worn camera;
 - (11) review and use of recordings;
 - (12) retention of recordings;
 - (13) dissemination and release of recordings;
 - (14) consequences for violations of the agency's body-worn camera policy;
 - (15) notification requirements when another individual becomes a party to a conversation following the initial notification;
 - (16) specific protections for individuals when there is an expectation of a recording in private or public places; and
 - (17) any additional issues determined to be relevant in the implementation of body-worn cameras by law enforcement officers.

DRAFTER'S NOTE:

Error: Misnomer in § 3–511 of the Public Safety Article.

Occurred: Chs. 128 and 129, Acts of 2015.

22 3-512.

23 (a) On or before February 1 of each year, the Police Commissioner of Baltimore
24 City shall report the following information concerning the Baltimore Police Department to
25 the Mayor and City Council of Baltimore and, in accordance with § 2-1246 of the State
26 Government Article, the members of the Baltimore City Delegation to the General
27 Assembly for the previous calendar year:

(3) the number of sworn female police officers in the Department; [and]

DRAFTER'S NOTE:

Error: Extraneous conjunction in § 3–512(a)(3) of the Public Safety Article.

Occurred: Ch. 599, Acts of 2017.

Article – Real Property

6 11B-111.1.

(a) (3) "Family child care home" means a unit registered under [Title 5, Article 5 of the Family Law Article] **TITLE 9.5, SUBTITLE 3 OF THE EDUCATION CODE.**

DRAFTER'S NOTE:

Error: Erroneous cross-reference in § 11B-111.1(a)(3) of the Real Property Article.

12 Occurred: As a result of Ch. 185, § 2, Acts of 2016, which transferred provisions
13 relating to early childhood development from the Family Law Article to the Education
14 Article.

15 14-125.1.

16 (d) (3) (iv) 1. In addition to any service of process required by the
17 Maryland Rules, the plaintiff shall cause to be posted in a conspicuous place on the property
18 no later than 48 hours before the hearing the notice required under [sub-subparagraph]
19 **SUBSUBPARAGRAPH 2** of this subparagraph.

DRAFTER'S NOTE:

Error: Extraneous hyphen in § 14-125.1(d)(3)(iv)1 of the Real Property Article.

Occurred: Ch. 553, Acts of 2001.

Article – State Finance and Procurement

24 7-311.

25 (e) (2) At the end of fiscal year 2020 and each fiscal year thereafter, if the
26 amount of nonwithholding income tax revenues exceeds the capped estimate determined
27 under § 6–104(e) of this article, the State Comptroller shall distribute funds as provided in
28 § 7–329(c) and [(d)(1)] (D) of this subtitle.

1 DRAFTER'S NOTE:

2 Error: Incorrect cross-reference in § 7-311(e)(2) of the State Finance and
3 Procurement Article.4 Occurred: Chs. 4 and 550, Acts of 2017. Correction suggested by the Attorney
5 General in the Bill Review Letter for H.B. 503 (Ch. 4) and H.B. 1109 (Ch. 5) of 2017 (footnote
6 1), dated March 31, 2017.

7 13-212.1.

8 (b) For purposes of subsection (a) of this section, assisting in the drafting of
9 specifications, an invitation for bids, or a request for proposals for a procurement does not
10 include:11 (3) providing specifications for a sole source procurement made in
12 accordance with § 13-107 of this [article] **TITLE**;

13 DRAFTER'S NOTE:

14 Error: Stylistic error in § 13-212.1(b)(3) of the State Finance and Procurement
15 Article.

16 Occurred: Ch. 271, Acts of 2015.

17 **Article – State Government**

18 2-706.

19 (b) (1) The Committee shall maintain the statements filed by members of the
20 General Assembly under [Title 15, Subtitle 5 of this article] **TITLE 5, SUBTITLE 5 OF THE**
21 **GENERAL PROVISIONS ARTICLE** and, during normal office hours, make the statements
22 available to the public for examination and copying.

23 DRAFTER'S NOTE:

24 Error: Erroneous cross-reference in § 2-706(b)(1) of the State Government Article.

25 Occurred: As a result of Ch. 94, Acts of 2014, which repealed the title "Title 15. Public
26 Ethics" of the State Government Article and enacted the new title "Title 5. Maryland Public
27 Ethics Law" of the General Provisions Article.

28 2-709.

29 (b) The Counsel:

30 (4) shall meet individually with each member of the General Assembly

1 each year to:

2 (ii) assist the member in preparing statements and reports required
3 to be filed with the Committee under [Title 15, Subtitle 5, Part II of this article] **TITLE 5,**
4 **SUBTITLE 5, PART II OF THE GENERAL PROVISIONS ARTICLE;** and

5 DRAFTER'S NOTE:

6 Error: Erroneous cross-reference in § 2-709(b)(4)(ii) of the State Government
7 Article.

8 Occurred: As a result of Ch. 94, Acts of 2014, which repealed the title "Title 15. Public
9 Ethics" of the State Government Article and enacted the new title "Title 5. Maryland Public
10 Ethics Law" of the General Provisions Article.

11 6.5-101.

12 (i) "Public assets" [include] INCLUDES:

13 (1) assets held for the benefit of the public or the community;

14 (2) assets in which the public has an ownership interest; and

15 (3) assets owned by a governmental entity.

16 DRAFTER'S NOTE:

17 Error: Incorrect word usage in § 6.5-101(i) of the State Government Article.

18 Occurred: Chs. 123 and 124, Acts of 1998.

19 9-1A-04.

20 (d) The Commission shall adopt regulations that include the following specific
21 provisions in accordance with this subtitle:

22 (11) providing for minimum uniform standards of accountancy methods,
23 procedures, and forms as are necessary to [assure] ENSURE consistency, comparability,
24 and effective disclosure of all financial information, including percentages of profit for video
25 lottery terminals and table games;

26 DRAFTER'S NOTE:

27 Error: Incorrect word usage in § 9-1A-04(d)(11) of the State Government Article.

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

1 9-1A-36.

2 (l) (1) If an applicant is seeking investors in the entity applying for a video
3 lottery operation license, it shall take the following steps before being awarded a license by
4 the Video Lottery Facility Location Commission:

5 (i) make serious, good-faith efforts to solicit and interview a
6 reasonable number of minority investors; AND

7 (ii) as part of the application, submit a statement that lists the
8 names and addresses of all minority investors interviewed and whether or not any of those
9 investors have purchased an equity share in the entity submitting an [application; and]
10 **APPLICATION.**

11 [(iii)] (2) [if] IF an applicant is awarded a license by the Video
12 Lottery Facility Location Commission, the applicant shall sign a memorandum of
13 understanding with the Video Lottery Facility Location Commission that requires the
14 awardee to again make serious, good-faith efforts to interview minority investors in any
15 future attempts to raise venture capital or attract new investors to the entity awarded the
16 license.

17 [(2)] (3) The Governor's Office of Small, Minority, and Women Business
18 Affairs, in consultation with the Office of the Attorney General, shall provide assistance to
19 all potential applicants and potential minority investors to satisfy the requirements under
20 [paragraph] PARAGRAPHS (1)(i) and [(iii)] (2) of this subsection.

21 DRAFTER'S NOTE:

22 Error: Tabulation error in § 9-1A-36(l) of the State Government Article.

23 Occurred: Ch. 1, Acts of the Second Special Session of 2012.

24 9-957.

25 (e) (1) A nonprofit training entity may disqualify a Program participant from
26 participation in the Program if the nonprofit training entity determines that the Program
27 participant's involvement in the Program:

28 (i) presents a danger to the Program participant's mental or
29 physical [wellbeing] WELL-BEING;

30 DRAFTER'S NOTE:

31 Error: Omitted hyphen in § 9-957(e)(1)(i) of the State Government Article.

32 Occurred: Ch. 416, Acts of 2017.

1 9–3001.

2 (g) On or before December 31, 2014, and annually thereafter for the following 5
3 years, the Commission shall report its activities, findings, and recommendations to the
4 Governor and, in accordance with § 2–1246 of [the State Government Article] **THIS**
5 **ARTICLE**, the General Assembly.

6 DRAFTER'S NOTE:

7 Error: Incorrect internal reference in § 9–3001(g) of the State Government Article.

8 Occurred: Ch. 603, Acts of 2013.

9 **Article – State Personnel and Pensions**

10 27–403.

11 (c) (3) (iv) If more than one surviving child is disabled, as defined under §
12 72(m)(7) of the Internal Revenue Code, the allowance payable under subparagraph [(ii)]
13 **(III)** of this paragraph shall be divided equally among the disabled children.

14 DRAFTER'S NOTE:

15 Error: Erroneous internal reference in § 27–403(c)(3)(iv) of the State Personnel and
16 Pensions Article.

17 Occurred: Chs. 277 and 278, Acts of 2017.

18 31–102.

19 Subject to [§§ 22–202(b) and 31–109 of this article,] **§ 22–202(B) OF THIS ARTICLE**
20 **AND § 31–109 OF THIS SUBTITLE**, the governmental units that are eligible to participate
21 in the employees' systems are:

22 (1) a political subdivision of the State, including:

23 (i) a county;

24 (ii) a municipal corporation; and

25 (iii) a special taxing area; and

26 (2) the following governmental units:

27 (i) an agency on aging, as designated by the legislative body of the

- 1 agency on aging;
- 2 (ii) the Allegany County Transit Authority;
- 3 (iii) subject to § 31–104 of this subtitle, the Baltimore Metropolitan
- 4 Council;
- 5 (iv) a board or commission created by an Act of the General Assembly
- 6 for public purpose and not for the profit of a private person;
- 7 (v) subject to § 31–105 of this subtitle, the Canal Place Preservation
- 8 and Development Authority;
- 9 (vi) the Chesapeake Bay Commission;
- 10 (vii) a cooperative library commission;
- 11 (viii) subject to § 31–103 of this subtitle, a community action agency,
- 12 as designated by the legislative body of the community action agency;
- 13 (ix) a fire department that receives any of its funds from or through
- 14 a county, municipal corporation, special taxing area, or other political subdivision of the
- 15 State;
- 16 (x) the Health Planning Council of Appalachia;
- 17 (xi) the Howard County Economic Development Authority;
- 18 (xii) the Interstate Commission on the Potomac River Basin;
- 19 (xiii) the Lower Shore Private Industry Council, Inc.;
- 20 (xiv) the Maryland Environmental Service;
- 21 (xv) subject to § 31–106 of this subtitle, the Maryland Stadium
- 22 Authority;
- 23 (xvi) a public library association or organization;
- 24 (xvii) subject to § 31–106.2 of this subtitle, the St. Mary’s Nursing
- 25 Center, Inc.;
- 26 (xviii) the Tri–County Council for Western Maryland, Inc.;
- 27 (xix) the Tri–County Council for Southern Maryland;
- 28 (xx) subject to § 31–107 of this subtitle, the University of Maryland

1 Medical System Corporation;

2 (xxi) the Upper Potomac River Commission;

3 (xxii) subject to § 31–106.1 of this subtitle, the Maryland African

4 American Museum Corporation;

5 (xxiii) the Garrett County Office for Children, Youth and Families;

6 (xxiv) the Somerset County Economic Development Commission; and

7 (xxv) the Dorchester County Sanitary Commission.

8 DRAFTER'S NOTE:

9 Error: Stylistic error in § 31–102 of the State Personnel and Pensions Article.

10 Occurred: Chs. 271 and 272, Acts of 2017.

11 **Article – Tax – General**

12 2–107.

13 (a) Authorized employees of the Field Enforcement Bureau of the Comptroller's
14 Office:

15 (2) have all the powers, duties, and responsibilities of a peace officer for the
16 purpose of enforcing the laws pertaining to:

17 (ix) transient vendors within the meaning of **TITLE 17**, Subtitle 20A
18 [of Title 17] of the Business Regulation Article.

19 DRAFTER'S NOTE:

20 Error: Stylistic error in § 2–107(a)(2)(ix) of the Tax – General Article.

21 Occurred: Ch. 597, Acts of 1996.

22 10–205.

23 (h) (1) (i) In this subsection the following words have the meanings
24 indicated.

25 (ii) "Account holder" means an account holder as defined in §
26 18–1901, § 18–19A–01, or § 18–19B–01 of the Education Article.

27 [(iii) "Qualified designated beneficiary" means a qualified designated

1 beneficiary as defined in § 18–19A–01 or § 18–19B–01 of the Education Article.]

2 **[(iv)] (III)** “Qualified beneficiary” has the meaning stated in §
3 18–1901 of the Education Article.

4 **(IV) “QUALIFIED DESIGNATED BENEFICIARY” MEANS A**
5 **QUALIFIED DESIGNATED BENEFICIARY AS DEFINED IN § 18–19A–01 OR §**
6 **18–19B–01 OF THE EDUCATION ARTICLE.**

7 **(v)** “Qualified higher education expenses” has the meaning stated in
8 § 529 of the Internal Revenue Code.

9 DRAFTER’S NOTE:

10 Error: Stylistic error (failure to codify definitions in alphabetical order) in §
11 10–205(h)(1) of the Tax – General Article.

12 Occurred: Ch. 5, Acts of 2007.

13 11–411.

14 (d) (4) (i) Except as otherwise provided in this [subparagraph]
15 **PARAGRAPH**, for any fiscal year, the Department may not issue sales and use tax refunds
16 in amounts in the aggregate totaling more than \$1,000,000 in a fiscal year.

17 DRAFTER’S NOTE:

18 Error: Erroneous internal reference in § 11–411(d)(4)(i) of the Tax – General Article.

19 Occurred: Ch. 149, Acts of 2017.

20 13–203.

21 (c) Tax information may be disclosed to:

22 (7) a federal official as defined in § 13–930 of this title to the extent
23 necessary to administer **SUBTITLE 9**, Part VI of this [subtitle] **TITLE**;

24 DRAFTER’S NOTE:

25 Error: Erroneous cross-reference in § 13–203(c)(7) of the Tax – General Article.

26 Occurred: Ch. 577, Acts of 2006.

1 9–210.

2 (c) A county or municipal corporation may provide, by law, for:

3 (2) any additional limitation to the number of years the dwelling was
4 acquired within the date of [being adjudged to be disabled or of death] **AN ADJUDICATION**
5 **OF DISABILITY OR DEATH**; and

6 DRAFTER'S NOTE:

7 Error: Grammatical error in § 9–210(c)(2) of the Tax – Property Article.

8 Occurred: Chs. 173 and 174, Acts of 2017.

9 9–258.

10 (a) (2) “Dwelling” has the meaning stated in § 9–105 of this [title;] **TITLE**.

11 DRAFTER'S NOTE:

12 Error: Incorrect punctuation in § 9–258(a)(2) of the Tax – Property Article.

13 Occurred: Ch. 498, Acts of 2016.

14 Article – Transportation

15 7–208.

16 (b–1) Subject to § 7–506 of this title, the Administration:

17 (1) Subject to [paragraphs] **ITEMS** (2), (3), (4), (5), and (6) of this
18 subsection, shall set the fare prices and collect other operating revenues in accordance with
19 this section;

20 (2) Beginning in fiscal year 2015, shall:

21 (i) On a biennial basis, increase base fare prices and the cost of
22 multiuse passes to the nearest 10 cents for all transit services except those services listed
23 in [subparagraph] **ITEM** (ii) of this [paragraph] **ITEM** by the same percentage as the
24 biennial increase in the Consumer Price Index for all urban consumers, as determined from
25 January 1, 2012, to December 31, 2013, and each subsequent 2–year period for which the
26 amount is being calculated;

27 (4) May not increase fares for all transit services except those services
28 listed in [paragraph] **ITEM** (2)(ii) of this subsection by more than the amount required
29 under [paragraph] **ITEM** (2)(i) of this subsection;

(5) May not increase fares under [paragraph] ITEM (2)(i) and (ii)1 of this subsection if there is a decline or no growth in the Consumer Price Index; and

7 DRAFTER'S NOTE:

8 Error: Stylistic errors in § 7–208(b–1) of the Transportation Article.

9 Occurred: Ch. 429, § 3, Acts of 2013.

10 8-402.

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

16 DRAFTER'S NOTE:

17 Error: Stylistic error in § 8–402(b)(3) of the Transportation Article.

18 Occurred: Ch. 2, Acts of the First Special Session of 1991.

19 13-616.

24 DRAFTER'S NOTE:

25 Error: Obsolete language in § 13–616(a)(3) of the Transportation Article.

26 Occurred: As a result of Ch. 739, Acts of 2016, which established the State Board of
27 Massage Therapy Examiners.

28 16-303.

3 DRAFTER'S NOTE:

4 Error: Extraneous language in § 16–303(j)(2) of the Transportation Article.

5 Occurred: Ch. 374, Acts of 1990.

6 16-404.1.

19 DRAFTER'S NOTE:

20 Error: Stylistic error in § 16–404.1(d)(1)(i)4 of the Transportation Article.

21 Occurred: Ch. 62, Acts of 2017.

22 (g) Subject to [§ 27-107(g)(2)] **§ 21-902.2(G)(2)** of this article, the
23 Administration shall impose a restriction on the individual's license that prohibits the
24 individual from driving a motor vehicle that is not equipped with an ignition interlock
25 system for the period of time that the individual is required to participate in the Program
26 under this section.

27 DRAFTER'S NOTE:

28 Error: Incorrect cross-reference in § 16–404.1(g) of the Transportation Article.

29 Occurred: As a result of Ch. 55, Acts of 2017, which transferred the provisions of
30 former § 27–107 of the Transportation Article to the new § 21–902.2 of the Transportation
31 Article.

1 21–406.

2 (b) (2) (ii) In accordance with Title 12, [Subtitle 12] **SUBTITLE 2** of this
3 article, a licensee may request a hearing on a license suspension imposed under this
4 paragraph.

5 DRAFTER'S NOTE:

6 Error: Erroneous cross-reference in § 21–406(b)(2)(ii) of the Transportation Article.

7 Occurred: Ch. 55, Acts of 2017. Correction suggested by the Attorney General in the
8 Bill Review Letter for S.B. 165 (Ch. 55) of 2017 (footnote 2), dated April 10, 2017.

9 25–102.

10 (c) An ordinance or regulation adopted under [items (4),] **SUBSECTION (A)(4)**,
11 (5), (6), (7), or (10) of [subsection (a) of] this section is not effective until a traffic control
12 device giving notice of the local traffic regulations is placed on or at the entrances to the
13 highway or its affected part.

14 DRAFTER'S NOTE:

15 Error: Stylistic error in § 25–102(c) of the Transportation Article.

16 Occurred: Ch. 14, § 2, Acts of 1977.

17 **Chapter 445 of the Acts of 1999**

18 [SECTION 2. AND BE IT FURTHER ENACTED, That on or before October 1 of each
19 year, the Office of Crime Control and Prevention shall provide a report to the General
20 Assembly, in accordance with § 2–1246 of the State Government Article, that lists and
21 describes all programs receiving grants from the Maryland Drug and Alcohol Grants
22 Program Fund during the preceding fiscal year.]

23 DRAFTER'S NOTE:

24 Error: Obsolete language in Ch. 445, § 2, Acts of 1999.

25 Occurred: As a result of Ch. 9, Acts of 2017, which repealed §§ 5–1001 and
26 5–1002 of the Criminal Law Article.

27 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read
28 as follows:

29 **Article – Business Occupations and Professions**

1 4-304.

2 (a) Except as otherwise provided in § 4-304.1 of this subtitle, an applicant is
3 entitled to be examined as provided in this section if the applicant:

4 (2) pays an examination fee established by the Board in accordance with §
5 4-303 of this [title] **SUBTITLE** to the Board or the Board's designee.

6 DRAFTER'S NOTE:

7 Error: Stylistic error in § 4-304(a)(2) of the Business Occupations and Professions
8 Article.

9 Occurred: As a result of Ch. 256, Acts of 2017.

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

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

16 SECTION 5. AND BE IT FURTHER ENACTED, That the publishers of the
17 Annotated Code of Maryland, subject to the approval of the Department of Legislative
18 Services, shall make any changes in the text of the Annotated Code necessary to effectuate
19 any termination provision that was enacted by the General Assembly and has taken effect
20 or will take effect prior to October 1, 2018. Any enactment of the 2018 Session of the General
21 Assembly that negates or extends the effect of a previously enacted termination provision
22 shall prevail over the provisions of this section.

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

30 SECTION 7. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take
31 effect contingent on the taking effect of Chapter 256 of the Acts of the General Assembly of
32 2017, and if Chapter 256 does not take effect, Section 2 of this Act shall be null and void
33 without the necessity of further action by the General Assembly.

34 SECTION 8. AND BE IT FURTHER ENACTED, That this Act is an emergency
35 measure, is necessary for the immediate preservation of the public health or safety, has
36 been passed by a yea and nay vote supported by three-fifths of all the members elected to

1 each of the two Houses of the General Assembly, and, except as provided in Section 7 of
2 this Act, shall take effect from the date it is enacted.