

SENATE BILL 184

P5

EMERGENCY BILL

4lr1609

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

Introduced and read first time: January 15, 2014

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Annual Corrective Bill**

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

12 BY repealing and reenacting, with amendments,
13 Article 2B – Alcoholic Beverages
14 Section 5–201(m–1)(11), 6–201(y)(7)(ii), 6–301(y)(8)(ii), 6–401(y)(2)(vi)2.,
15 8–224(g)(1)(ii), 8–603(d)(2), 10–202(p)(2), and 11–402(o)(2) and (3)
16 Annotated Code of Maryland
17 (2011 Replacement Volume and 2013 Supplement)

18 BY repealing and reenacting, with amendments,
19 Article 2B – Alcoholic Beverages
20 Section 12–107(b)(10)(i)
21 Annotated Code of Maryland
22 (2011 Replacement Volume and 2013 Supplement)
23 (As enacted by Chapter 387 of the Acts of the General Assembly of 2013)

24 BY repealing
25 Article 41 – Governor – Executive and Administrative Departments
26 The title designation “Title 2. Executive Department – Generally”; the title
27 designation “Title 18. Miscellaneous Provisions” and the subtitle
28 designation “Subtitle 2. Additional Miscellaneous Provisions”

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Annotated Code of Maryland
2 (2010 Replacement Volume and 2013 Supplement)

3 BY repealing and reenacting, with amendments,
4 Article – Agriculture
5 Section 2–508(c)
6 Annotated Code of Maryland
7 (2007 Replacement Volume and 2013 Supplement)

8 BY adding to
9 Article – Business Occupations and Professions
10 Section 2–101(j)
11 Annotated Code of Maryland
12 (2010 Replacement Volume and 2013 Supplement)

13 BY repealing and reenacting, with amendments,
14 Article – Business Occupations and Professions
15 Section 2–101(j) through (n) and 19–401(b)(3)
16 Annotated Code of Maryland
17 (2010 Replacement Volume and 2013 Supplement)

18 BY repealing
19 Article – Business Occupations and Professions
20 Section 2–101(o)
21 Annotated Code of Maryland
22 (2010 Replacement Volume and 2013 Supplement)

23 BY repealing and reenacting, with amendments,
24 Article – Commercial Law
25 Section 12–124.1(a)(2), 12–312(a)(2), 12–409.1(a)(2), 12–410(a)(2),
26 12–1007(a)(2), 14–1103(a)(6), (8), (10), and (11), and 14–1212.3(m)(1)
27 Annotated Code of Maryland
28 (2013 Replacement Volume)

29 BY repealing and reenacting, with amendments,
30 Article – Courts and Judicial Proceedings
31 Section 2–309(b)(5) and (w)(3), 3–816.1(f)(5), 5–724(b), 9–109.1(a)(4), and
32 12–302(c)
33 Annotated Code of Maryland
34 (2013 Replacement Volume and 2013 Supplement)

35 BY repealing and reenacting, with amendments,
36 Article – Criminal Procedure
37 Section 5–202(f)(1)(iii)
38 Annotated Code of Maryland
39 (2008 Replacement Volume and 2013 Supplement)

- 1 BY repealing and reenacting, with amendments,
2 Article – Economic Development
3 Section 10–620(c)(2)
4 Annotated Code of Maryland
5 (2008 Volume and 2013 Supplement)
- 6 BY repealing and reenacting, with amendments,
7 Article – Education
8 Section 3–110(b)(3)(i), 7–424(e), 7–1504(b), 8–405(f), 13–516(i)(1), 18–14A–01(a)
9 and (d), 18–1702(h), 23–607(b)(1), and 24–1003(a)
10 Annotated Code of Maryland
11 (2008 Replacement Volume and 2013 Supplement)
- 12 BY repealing and reenacting, with amendments,
13 Article – Education
14 Section 5–301(d)(4)
15 Annotated Code of Maryland
16 (2008 Replacement Volume and 2013 Supplement)
17 (As enacted by Chapter 22 of the Acts of General Assembly of 1978)
- 18 BY repealing and reenacting, with amendments,
19 Article – Education
20 Section 23–609(e)(3)(iii)2.
21 Annotated Code of Maryland
22 (2008 Replacement Volume and 2013 Supplement)
23 (As enacted by Chapter 648 of the Acts of the General Assembly of 2013)
- 24 BY repealing and reenacting, with amendments,
25 Article – Election Law
26 Section 13–227(c)(1)
27 Annotated Code of Maryland
28 (2010 Replacement Volume and 2013 Supplement)
29 (As enacted by Chapter 419 of the Acts of the General Assembly of 2013)
- 30 BY repealing and reenacting, with amendments,
31 Article – Environment
32 Section 1–406, 2–202(a)(2)(vii), 2–1002(f)(3), 2–1103(2), 3–401(c)(4), 4–304(b),
33 5–204(b)(4), 5–602(b), 6–401(i), 6–823(b), and 8–501(b)(4)
34 Annotated Code of Maryland
35 (2013 Replacement Volume)
- 36 BY repealing and reenacting, with amendments,
37 Article – Environment
38 Section 9–1605.2(a)(4), (b)(1)(i)1. and 2., and (2)(i) and (ii)1., (c)(1)(i)1., (d)(3)(i),
39 (4)(ii), and (5)(i), (h)(1), (2)(i), and (3)(ii) and (iii), (i)(2)(ix), and (j)(2)(viii)
40 and (6)(v) and 9–1701(e)(2)
41 Annotated Code of Maryland

1 (2007 Replacement Volume and 2013 Supplement)

2 BY repealing and reenacting, with amendments,
3 Article – Family Law
4 Section 4–506(b)(2)(iii), 5–592(b)(3)(ii), and 14–305(4)
5 Annotated Code of Maryland
6 (2012 Replacement Volume and 2013 Supplement)

7 BY repealing and reenacting, with amendments,
8 Article – Health – General
9 Section 2–104(j)(2); the subtitle designation “Subtitle 5. State Residential
10 Centers for Individuals with an Intellectual Disability” immediately
11 preceding Section 7–501; 13–203(a), 13–506(a)(2)(v), 13–1504(a)(1)(ix),
12 13–2103(8) and (9), 15–139(d)(1), 17–217(b)(2), 19–143(d)(3), and
13 19–308.9(b)(1)(ii)
14 Annotated Code of Maryland
15 (2009 Replacement Volume and 2013 Supplement)

16 BY repealing and reenacting, without amendments,
17 Article – Health – General
18 Section 7–501(a)
19 Annotated Code of Maryland
20 (2009 Replacement Volume and 2013 Supplement)

21 BY repealing and reenacting, with amendments,
22 Article – Health Occupations
23 Section 1A–316(a)(1)(i), 3–5A–09(2), 12–6C–03.2(b), 14–207(c)(2)(iii),
24 14–404(a)(41)(i)3., 14–5C–18(d), 14–5E–18(d), 15–310(a),
25 19–202(a)(2)(i)1., 19–302(b), and 19–308(f)
26 Annotated Code of Maryland
27 (2009 Replacement Volume and 2013 Supplement)

28 BY repealing and reenacting, with amendments,
29 Article – Human Services
30 Section 5–318.1(c)
31 Annotated Code of Maryland
32 (2007 Volume and 2013 Supplement)

33 BY repealing and reenacting, with amendments,
34 Article – Insurance
35 Section 15–111(b), 15–508(a), 15–1212(e), 24–213(a), 27–501(c)(2), and
36 27–914(b)
37 Annotated Code of Maryland
38 (2011 Replacement Volume and 2013 Supplement)

39 BY repealing and reenacting, with amendments,
40 Article – Insurance

- 1 Section 15–140(d)(2)(iii)
2 Annotated Code of Maryland
3 (2011 Replacement Volume and 2013 Supplement)
4 (As enacted by Chapter 159 of the Acts of the General Assembly of 2013)
- 5 BY repealing and reenacting, with amendments,
6 Article – Labor and Employment
7 Section 9–638(a)(1)(ii)1.
8 Annotated Code of Maryland
9 (2008 Replacement Volume and 2013 Supplement)
- 10 BY repealing and reenacting, with amendments,
11 Article – Land Use
12 Section 9–802(b)(1) and 22–407(a)(1)
13 Annotated Code of Maryland
14 (2012 Volume and 2013 Supplement)
- 15 BY repealing and reenacting, with amendments,
16 Article – Local Government
17 Section 13–108(a)
18 Annotated Code of Maryland
19 (2013 Volume)
- 20 BY repealing and reenacting, with amendments,
21 Article – Local Government
22 Section 16–305(c)(3)
23 Annotated Code of Maryland
24 (2013 Volume)
25 (As enacted by Chapter 119 of the Acts of the General Assembly of 2013)
- 26 BY repealing and reenacting, with amendments,
27 Article – Natural Resources
28 Section 5–403(e) and 10–908(a) and (b)(1)
29 Annotated Code of Maryland
30 (2012 Replacement Volume and 2013 Supplement)
- 31 BY repealing and reenacting, with amendments,
32 Article – Public Safety
33 Section 5–134(c) and 11–116(a)(2)(xiii) through (xvi) and (b)(2)(xiii) through
34 (xvi)
35 Annotated Code of Maryland
36 (2011 Replacement Volume and 2013 Supplement)
- 37 BY repealing and reenacting, with amendments,
38 Article – Real Property
39 Section 7–105.9(b)(1)
40 Annotated Code of Maryland

- 1 (2010 Replacement Volume and 2013 Supplement)
- 2 BY repealing and reenacting, with amendments,
3 Article – State Finance and Procurement
4 Section 11–101(b)(3)
5 Annotated Code of Maryland
6 (2009 Replacement Volume and 2013 Supplement)
- 7 BY repealing and reenacting, with amendments,
8 Article – State Government
9 Section 2–1237(a)(6)(iv)3., 9–1A–09(b)(1)(i), and 10–510(b)(1)
10 Annotated Code of Maryland
11 (2009 Replacement Volume and 2013 Supplement)
- 12 BY repealing and reenacting, with amendments,
13 Article – State Personnel and Pensions
14 Section 23–201(a)(19) and 29–404(a)(1)(i)
15 Annotated Code of Maryland
16 (2009 Replacement Volume and 2013 Supplement)
- 17 BY repealing and reenacting, with amendments,
18 Article – Tax – General
19 Section 1–303(e)(2), 2–614(b)(1), 10–208(b)(1)(i) and (2)(i), 10–725(c)(3)(i), and
20 11–204(e)
21 Annotated Code of Maryland
22 (2010 Replacement Volume and 2013 Supplement)
- 23 BY repealing and reenacting, with amendments,
24 Article – Tax – General
25 Section 2–1104(a)(1)
26 Annotated Code of Maryland
27 (2010 Replacement Volume and 2013 Supplement)
28 (As enacted by Chapter 180 of the Acts of the General Assembly of 2013)
- 29 BY adding to
30 Article – Tax – Property
31 Section 7–208(a)(4)
32 Annotated Code of Maryland
33 (2012 Replacement Volume and 2013 Supplement)
- 34 BY repealing and reenacting, with amendments,
35 Article – Tax – Property
36 Section 7–208(a)(4), 9–319(c)(2), and 12–117(b)(1)
37 Annotated Code of Maryland
38 (2012 Replacement Volume and 2013 Supplement)
- 39 BY repealing

1 Article – Tax – Property
2 Section 7–208(a)(5)
3 Annotated Code of Maryland
4 (2012 Replacement Volume and 2013 Supplement)

5 BY repealing and reenacting, with amendments,
6 Article – Transportation
7 Section 21–801.1(e)(1)
8 Annotated Code of Maryland
9 (2012 Replacement Volume and 2013 Supplement)

10 BY repealing and reenacting, with amendments,
11 Chapter 180 of the Acts of the General Assembly of 2013
12 Section 5

13 BY repealing and reenacting, with amendments,
14 Chapter 424 of the Acts of the General Assembly of 2013
15 Section 28

16 BY repealing and reenacting, with amendments,
17 Chapter 492 of the Acts of the General Assembly of 2013
18 Section 3(a)(3)

19 BY repealing and reenacting, with amendments,
20 Chapter 524 of the Acts of the General Assembly of 2013
21 Section 2

22 BY repealing and reenacting, with amendments,
23 Chapter 617 of the Acts of the General Assembly of 2013
24 Section 3

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

27 **Article 2B – Alcoholic Beverages**

28 5–201.

29 (m–1) (11) For a license with a catering option:

30 (i) The issuing fee for a new license is \$625; and

31 (ii) The [issuing] ANNUAL fee is \$625.

32 DRAFTER'S NOTE:

33 Error: Incorrect word usage in Article 2B, § 5–201(m–1)(11)(ii).

1 Occurred: Ch. 387, Acts of 2013.

2 6–201.

3 (y) (7) (ii) Beginning on [May 1, 2016,] **JULY 1, 2014**, a licensee may
4 elect to purchase wine and liquor from a licensed wholesaler under § 15–204(e) of this
5 article.

6 DRAFTER’S NOTE:

7 Error: Obsolete date in Article 2B, § 6–201(y)(7)(ii).

8 Occurred: As a result of Ch. 584, Acts of 2013, which changed the date on or
9 after which a licensee in Worcester County could elect to buy wine or liquor from a
10 licensed wholesaler and not solely from the Worcester County Department of Liquor
11 Control.

12 6–301.

13 (y) (8) (ii) Beginning on [May 1, 2016,] **JULY 1, 2014**, a licensee may
14 elect to purchase wine and liquor from a licensed wholesaler under § 15–204(e) of this
15 article.

16 DRAFTER’S NOTE:

17 Error: Obsolete date in Article 2B, § 6–301(y)(8)(ii).

18 Occurred: As a result of Ch. 584, Acts of 2013, which changed the date on or
19 after which a licensee in Worcester County could elect to buy wine or liquor from a
20 licensed wholesaler and not solely from the Worcester County Department of Liquor
21 Control.

22 6–401.

23 (y) (2) (vi) 2. Beginning on [May 1, 2016,] **JULY 1, 2014**, a licensee
24 may elect to purchase wine and liquor from a licensed wholesaler under §
25 15–204(e) of this article.

26 DRAFTER’S NOTE:

27 Error: Obsolete date in Article 2B, § 6–401(y)(2)(vi)2.

28 Occurred: As a result of Ch. 584, Acts of 2013, which changed the date on or
29 after which a licensee in Worcester County could elect to buy wine or liquor from a
30 licensed wholesaler and not solely from the Worcester County Department of Liquor
31 Control.

1 8–224.

2 (g) (1) (ii) Beginning on [May 1, 2016,] **JULY 1, 2014**, a licensee may
3 elect to purchase wine and liquor from a licensed wholesaler or may continue to
4 purchase all alcoholic beverages, except light wine and beer, from the Worcester
5 County Department of Liquor Control.

6 DRAFTER'S NOTE:

7 Error: Obsolete date in Article 2B, § 8–224(g)(1)(ii).

8 Occurred: As a result of Ch. 584, Acts of 2013, which changed the date on or
9 after which a licensee in Worcester County could elect to buy wine or liquor from a
10 licensed wholesaler and not solely from the Worcester County Department of Liquor
11 Control.

12 8–603.

13 (d) (2) Beginning on [May 1, 2016,] **JULY 1, 2014**, a licensee may elect to
14 purchase wine and liquor from a licensed wholesaler under § 15–204(e) of this article.

15 DRAFTER'S NOTE:

16 Error: Obsolete date in Article 2B, § 8–603(d)(2).

17 Occurred: As a result of Ch. 584, Acts of 2013, which changed the date on or
18 after which a licensee in Worcester County could elect to buy wine or liquor from a
19 licensed wholesaler and not solely from the Worcester County Department of Liquor
20 Control.

21 10–202.

22 (p) In Somerset County:

23 (2) The applicant for the license shall pay the Board of License
24 Commissioners a fee of \$350 to cover the costs of the advertising required by
25 [paragraph] ITEM (1) of this subsection and the costs of processing the application;
26 and

27 DRAFTER'S NOTE:

28 Error: Stylistic error in Article 2B, § 10–202(p)(2).

29 Occurred: Ch. 302, Acts of 2006.

30 11–402.

1 (o) (2) Notwithstanding [§] §§ 11-304(a)[, §] AND 11-514 OF THIS TITLE
 2 and any other restrictions as to hours imposed by this article, a licensee, except any
 3 Class A (off-sale) licensee, may remain open and sell alcoholic beverages authorized
 4 by his license at all times on January 1 of any year.

5 (3) Notwithstanding [§§ 6-101] § 6-101 OF THIS ARTICLE, [11-403]
 6 § 11-403 OF THIS SUBTITLE, and [11-514] § 11-514 OF THIS TITLE, a Class A
 7 beer, wine and liquor licensee may sell beer, wine, and liquor between the hours of
 8 6:00 a.m. and midnight on any December 24 or December 31 regardless of which day of
 9 the week these dates fall on.

10 DRAFTER'S NOTE:

11 Error: Stylistic errors in Article 2B, § 11-402(o)(2) and (3).

12 Occurred: As a result of the renumbering of Article 2B – Alcoholic Beverages
 13 pursuant to Ch. 5, § 15, Acts of 1989.

14 12-107.

15 (b) (10) (i) This paragraph applies to an individual in:

16 1. A restaurant, club, or hotel for which a Class B or
 17 Class C license allowing the sale of wine is issued; [or]

18 2. An establishment in Garrett County for which a Class
 19 B-B&B (bed and breakfast) license is issued; OR

20 3. A RESTAURANT, CLUB, OR HOTEL IN
 21 MONTGOMERY COUNTY FOR WHICH A CLASS H LICENSE ALLOWING THE SALE
 22 OF WINE IS ISSUED.

23 DRAFTER'S NOTE:

24 Error: Incompatible language in Article 2B, § 12-107(b)(10)(i).

25 Occurred: As a result of Chs. 133 and 387, Acts of 2013, both of which amended
 26 Art. 2B, § 12-107(b)(1), but neither of which referred to the other. Effect has been
 27 given to both chapters by merging their language. Correction by the publisher of the
 28 Annotated Code in the 2013 Supplement of Article 2B is ratified by this Act.

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

30 [Title 2. Executive Department – Generally.]

1 DRAFTER'S NOTE:

2 Error: Obsolete title designation in Article 41.

3 Occurred: As a result of Ch. 3, Acts of 2007, which, by repealing Art. 41, Title 2,
4 Subtitle 5 in its entirety, removed all remaining provisions of law from former Art. 41,
5 Title 2. Correction by the publisher of the Annotated Code in the 2013 Supplement of
6 Volume 2 of the Annotated Code of Maryland is ratified by this Act.

7 [Title 18. Miscellaneous Provisions.]

8 [Subtitle 2. Additional Miscellaneous Provisions.]

9 DRAFTER'S NOTE:

10 Error: Obsolete title and subtitle designations in Article 41.

11 Occurred: As a result of Chs. 43 and 119 of 2013, which repealed Art. 41, §
12 18–202 and Art. 41, § 18–201, respectively, the only provisions of law that remained in
13 Title 18 and Subtitle 2. Correction by the publisher of the Annotated Code in the 2013
14 Supplement of Volume 2 of the Annotated Code of Maryland is ratified by this Act.

15 **Article – Agriculture**

16 2–508.

17 (c) If the Foundation receives acceptances of offers to buy in insufficient
18 numbers to expend the total amount to be allotted for allotted purchases, the
19 Foundation, to the extent feasible, shall tender additional offers to buy in sufficient
20 numbers to expend the total amount to be allotted. Any such additional offers to buy
21 shall be tendered:

22 (1) To landowners who have applied to sell easements on land which
23 was otherwise acceptable, but who had not received an offer to buy solely because of
24 limitations on the amount of money to be spent for allotted purchases;

25 (2) To applicants on a statewide basis as provided by the priority
26 ranking system established under [§ 2–510(e)] **§ 2–510(F)** of this subtitle; and

27 (3) Only after the expiration of the period allowed for acceptance of
28 offers to buy under allotted general and matching purchases.

29 DRAFTER'S NOTE:

30 Error: Erroneous cross-reference in § 2–508(c)(2) of the Agriculture Article.

31 Occurred: As a result of Ch. 238, Acts of 1989.

1 **Article – Business Occupations and Professions**

2 2–101.

3 **(J) “NASBA” MEANS THE NATIONAL ASSOCIATION OF BOARDS OF**
4 **ACCOUNTANCY.**

5 **[(j)] (K)** “Permit” means, unless the context requires otherwise, a permit
6 issued by the Board to allow a partnership or corporation to operate a business
7 through which an individual may practice certified public accountancy.

8 **[(k)] (L)** “Permit fee” means the fee paid in connection with the issuance or
9 renewal of a permit.

10 **[(l)] (M)** “Practice certified public accountancy” means to perform any of the
11 following accountancy services:

12 (1) conducting an audit, review, or compilation of financial statements;
13 or

14 (2) providing a written certificate or opinion offering positive or
15 negative assurance or full or limited assurance on the correctness of the information or
16 on the fairness of the presentation of the information in:

17 (i) a financial statement;

18 (ii) a report;

19 (iii) a schedule; or

20 (iv) an exhibit.

21 **[(m)] (N)** “Practice privilege” means the right granted to an individual who
22 is licensed by another state to practice certified public accountancy in this State
23 without a license issued by this State.

24 **[(n)] (O)** “Principal place of business” means the office location designated
25 by the licensee for purposes of substantial equivalency and reciprocity.

26 **[(o)] “NASBA” means the National Association of Boards of Accountancy.]**

27 **DRAFTER’S NOTE:**

28 Error: Stylistic error (failure to codify definitions in alphabetical order) in §
29 2–101(j) through (o) of the Business Occupations and Professions Article.

1 Occurred: Ch. 536, Acts of 2008.

2 19–401.

3 (b) A licensed security guard agency may provide an uncertified individual
4 for hire as a security guard if:

5 (3) the individual has obtained and currently possesses certification by
6 the Maryland Police [and Corrections] Training Commission as a police officer.

7 DRAFTER’S NOTE:

8 Error: Misnomer in § 19–401(b)(3) of the Business Occupations and Professions
9 Article.

10 Occurred: Ch. 602, Acts of 1996. Correction suggested by the Maryland Police
11 and Correctional Commissions.

12 Article – Commercial Law

13 12–124.1.

14 (a) (2) “Covered loan” means a mortgage loan made under this subtitle
15 that meets the criteria for a loan subject to the federal Home Ownership Equity
16 Protection Act set forth in 15 U.S.C. [§ 1602(aa)] **§ 1602(BB)**, as modified from time to
17 time by Regulation Z, 12 C.F.R. Part [226] **1026**, except that the comparison
18 percentages for the mortgage loan shall be one percentage point less than those
19 specified in 15 U.S.C. [§ 1602(aa)] **§ 1602(BB)**, as modified from time to time by
20 Regulation Z, 12 C.F.R. Part [226] **1026**.

21 DRAFTER’S NOTE:

22 Error: Erroneous cross–references in § 12–124.1(a)(2) of the Commercial Law
23 Article.

24 Occurred: As a result of the federal Dodd–Frank Wall Street Reform and
25 Consumer Protection Act. Section 1100A of the Dodd–Frank Act renumbered the
26 definitions in the federal Truth in Lending Act so that 15 U.S.C. § 1602(aa) became §
27 1602(bb). The Dodd–Frank Act also transferred authority over certain consumer
28 protection laws, including the federal Truth in Lending Act, to the Consumer
29 Financial Protection Bureau. The Bureau reissued and renumbered Regulation Z,
30 which implements the federal Truth in Lending Act, so that Part 226 became Part
31 1026.

32 12–312.

1 (a) (2) “Covered loan” means a mortgage loan made under this subtitle
2 that meets the criteria for a loan subject to the federal Home Ownership Equity
3 Protection Act set forth in 15 U.S.C. [§ 1602(aa)] **§ 1602(BB)**, as modified from time to
4 time by Regulation Z, 12 C.F.R. Part [226] **1026**, except that the comparison
5 percentages for the mortgage loan shall be one percentage point less than those
6 specified in 15 U.S.C. [§ 1602(aa)] **§ 1602(BB)**, as modified from time to time by
7 Regulation Z, 12 C.F.R. Part [226] **1026**.

8 DRAFTER’S NOTE:

9 Error: Erroneous cross–references in § 12–312(a)(2) of the Commercial Law
10 Article.

11 Occurred: As a result of the federal Dodd–Frank Wall Street Reform and
12 Consumer Protection Act. See Drafter’s Note to § 12–124.1 of the Commercial Law
13 Article.

14 12–409.1.

15 (a) (2) “Covered loan” means a mortgage loan made under this subtitle
16 that meets the criteria for a loan subject to the federal Home Ownership Equity
17 Protection Act set forth in 15 U.S.C. [§ 1602(aa)] **§ 1602(BB)**, as modified from time to
18 time by Regulation Z, 12 C.F.R. Part [226] **1026**, except that the comparison
19 percentages for the mortgage loan shall be one percentage point less than those
20 specified in 15 U.S.C. [§ 1602(aa)] **§ 1602(BB)**, as modified from time to time by
21 Regulation Z, 12 C.F.R. Part [226] **1026**.

22 DRAFTER’S NOTE:

23 Error: Erroneous cross–references in § 12–409.1(a)(2) of the Commercial Law
24 Article.

25 Occurred: As a result of the federal Dodd–Frank Wall Street Reform and
26 Consumer Protection Act. See Drafter’s Note to § 12–124.1 of the Commercial Law
27 Article.

28 12–410.

29 (a) (2) “Covered loan” means a mortgage loan made under this subtitle
30 that meets the criteria for a loan subject to the federal Home Ownership and Equity
31 Protection Act set forth in 15 U.S.C. [§ 1602(aa)] **§ 1602(BB)**, as modified from time to
32 time by Regulation Z, 12 C.F.R. Part [226] **1026**, except that the comparison
33 percentages for the mortgage loan shall be one percentage point less than those
34 specified in 15 U.S.C. [§ 1602(aa)] **§ 1602(BB)**, as modified from time to time by
35 Regulation Z, 12 C.F.R. Part [226] **1026**.

1 DRAFTER'S NOTE:

2 Error: Erroneous cross-references in § 12-410(a)(2) of the Commercial Law
3 Article.

4 Occurred: As a result of the federal Dodd-Frank Wall Street Reform and
5 Consumer Protection Act. See Drafter's Note to § 12-124.1 of the Commercial Law
6 Article.

7 12-1007.

8 (a) (2) "Covered loan" means a mortgage loan made under this subtitle
9 that meets the criteria for a loan subject to the federal Home Ownership and Equity
10 Protection Act set forth in 15 U.S.C. [§ 1602(aa)] **§ 1602(BB)**, as modified from time to
11 time by Regulation Z, 12 C.F.R. Part [226] **1026**, except that the comparison
12 percentages for the mortgage loan shall be one percentage point less than those
13 specified in 15 U.S.C. [§ 1602(aa)] **§ 1602(BB)**, as modified from time to time by
14 Regulation Z, 12 C.F.R. Part [226] **1026**.

15 DRAFTER'S NOTE:

16 Error: Erroneous cross-references in § 12-1007(a)(2) of the Commercial Law
17 Article.

18 Occurred: As a result of the federal Dodd-Frank Wall Street Reform and
19 Consumer Protection Act. See Drafter's Note to § 12-124.1 of the Commercial Law
20 Article.

21 14-1103.

22 (a) A layaway agreement shall include:

23 (6) The sum of the cash price in [paragraph] **ITEM (4) OF THIS**
24 **SUBSECTION** and the charges for services in [paragraph] **ITEM (5) OF THIS**
25 **SUBSECTION**;

26 (8) The unpaid balance of the cash price payable by the buyer to the
27 seller, which is **THE SUM SPECIFIED IN [paragraph] ITEM (6) OF THIS SUBSECTION**
28 less **THE AMOUNT IN [paragraph] ITEM (7) OF THIS SUBSECTION**;

29 (10) The total of payments owed by the buyer to the seller, which is the
30 sum of [paragraphs] **ITEMS (8) and (9) OF THIS SUBSECTION**, the number of
31 installment payments required to pay it, and the amount and time of each payment;

32 (11) The layaway price, which is the sum of [paragraphs] **ITEMS (6)**
33 **and (9) OF THIS SUBSECTION**; and

1 DRAFTER'S NOTE:

2 Error: Stylistic errors in § 14–1103(a)(6), (8), (10), and (11) and omitted words in
3 § 14–1103(a)(8) of the Commercial Law Article.

4 Occurred: Ch. 673, Acts of 1978.

5 14–1212.3.

6 (m) (1) On the entry of an order for the adoption of a child who was in the
7 custody of a local department under Title 5 of the Family Law Article, the Department
8 shall provide notice to the adoptive parent of the provisions of § 14–1212.2 of this
9 [title] **SUBTITLE** relating to the authority of the adoptive parent to request a security
10 freeze by consumer **REPORTING** agencies.

11 DRAFTER'S NOTE:

12 Error: Stylistic error and omitted word in § 14–1212.3(m)(1) of the Commercial
13 Law Article.

14 Occurred: Chs. 329 and 330, Acts of 2013. Correction of the omitted word is
15 consistent with § 14–1201(e) of the Commercial Law Article, which defines the term
16 “consumer reporting agency” for purposes of Title 14, Subtitle 12 of the Commercial
17 Law Article. Correction suggested by the Attorney General in the Bill Review Letter
18 for S.B. 897 (Ch. 329)/H.B. 1297 (Ch. 330) of 2013 (footnote 6), dated April 23, 2013.

19 **Article – Courts and Judicial Proceedings**

20 2–309.

21 (b) (5) If the Sheriff of Allegany County approves after considering
22 personnel needs, the County Commissioners may authorize a deputy sheriff to perform
23 off–duty services for any person who agrees to pay a fee, including [but not limited to,]
24 hourly rates for off–duty service, any necessary insurance to be determined by the
25 Commissioners, [including] any fringe [benefits] **BENEFITS**, and the reasonable
26 rental cost of uniforms or other equipment used by any off–duty personnel.

27 (w) (3) If the Sheriff of Washington County approves after considering
28 personnel needs, the County Commissioners may authorize a deputy sheriff to perform
29 off–duty services for any person who agrees to pay a fee, including [but not limited to,]
30 hourly rates for off–duty service, any necessary insurance to be determined by the
31 Commissioners, [including] any fringe [benefits] **BENEFITS**, and the reasonable
32 rental cost of uniforms or other equipment used by any off–duty personnel.

33 DRAFTER'S NOTE:

1 Error: Omitted comma and extraneous language in § 2–309(b)(5) and (w)(3) of
2 the Courts and Judicial Proceedings Article.

3 Occurred: Ch. 811, Acts of 1977; Ch. 625, Acts of 1976.

4 3–816.1.

5 (f) If the court finds that reasonable efforts for a child were not made in
6 accordance with subsection (b) of this section or finds that reasonable efforts were
7 made but that one of the conditions described in subsection (e) of this section exists,
8 the court promptly shall send its written findings to:

9 (5) Any individual or agency identified by a local department or the
10 court as responsible for monitoring the care and services provided to children in the
11 legal custody or guardianship of the local department on a [systemic] **SYSTEMATIC**
12 basis.

13 DRAFTER’S NOTE:

14 Error: Incorrect word usage in § 3–816.1(f)(5) of the Courts and Judicial
15 Proceedings Article.

16 Occurred: Ch. 504, Acts of 2005.

17 5–724.

18 (b) A person who acts in good faith and within the scope of the jurisdiction of
19 the Board is not civilly liable for giving information to the Board or otherwise
20 participating in ITS activities.

21 DRAFTER’S NOTE:

22 Error: Omitted word in § 5–724(b) of the Courts and Judicial Proceedings
23 Article.

24 Occurred: Ch. 404, Acts of 2013.

25 9–109.1.

26 (a) (4) “Psychiatric–mental health nursing specialist” means a registered
27 nurse who:

28 (i) Has a master’s degree in psychiatric–mental health nursing;
29 [or]

1 (ii) Has a baccalaureate degree in nursing and a master's degree
2 in a mental health field; or

3 (iii) Is certified as a clinical specialist in psychiatric and mental
4 health nursing by the American Nurses' Association or by a body approved by the
5 Board of Nursing.

6 DRAFTER'S NOTE:

7 Error: Extraneous conjunction in § 9-109.1(a)(4) of the Courts and Judicial
8 Proceedings Article.

9 Occurred: Ch. 300, Acts of 1990.

10 12-302.

11 (c) **(1)** In a criminal case, the State may appeal as provided in this
12 subsection.

13 **[(1)] (2)** The State may appeal from a final judgment granting a
14 motion to dismiss or quashing or dismissing any indictment, information,
15 presentment, or inquisition.

16 **[(2)] (3)** The State may appeal from a final judgment if the State
17 alleges that the trial judge:

18 (i) Failed to impose the sentence specifically mandated by the
19 Code; or

20 (ii) Imposed or modified a sentence in violation of the Maryland
21 Rules.

22 **[(3)] (4)** (i) In a case involving a crime of violence as defined in §
23 14-101 of the Criminal Law Article, and in cases under §§ 5-602 through 5-609 and
24 §§ 5-612 through 5-614 of the Criminal Law Article, the State may appeal from a
25 decision of a trial court that excludes evidence offered by the State or requires the
26 return of property alleged to have been seized in violation of the Constitution of the
27 United States, the Maryland Constitution, or the Maryland Declaration of Rights.

28 (ii) The appeal shall be made before jeopardy attaches to the
29 defendant. However, in all cases the appeal shall be taken no more than 15 days after
30 the decision has been rendered and shall be diligently prosecuted.

31 (iii) Before taking the appeal, the State shall certify to the court
32 that the appeal is not taken for purposes of delay and that the evidence excluded or
33 the property required to be returned is substantial proof of a material fact in the
34 proceeding. The appeal shall be heard and the decision rendered within 120 days of

1 the time that the record on appeal is filed in the appellate court. Otherwise, the
2 decision of the trial court shall be final.

3 (iv) Except in a homicide case, if the State appeals on the basis
4 of this paragraph, and if on final appeal the decision of the trial court is affirmed, the
5 charges against the defendant shall be dismissed in the case from which the appeal
6 was taken. In that case, the State may not prosecute the defendant on those specific
7 charges or on any other related charges arising out of the same incident.

8 (v) 1. Except as provided in subsubparagraph 2 of this
9 subparagraph, pending the prosecution and determination of an appeal taken under
10 **THIS PARAGRAPH OR** paragraph [(1) or (3)] **(2)** of this subsection, the defendant
11 shall be released on personal recognizance bail. If the defendant fails to appear as
12 required by the terms of the recognizance bail, the trial court shall subject the
13 defendant to the penalties provided in § 5–211 of the Criminal Procedure Article.

14 2. A. Pending the prosecution and determination of
15 an appeal taken under **THIS PARAGRAPH OR** paragraph [(1) or (3)] **(2)** of this
16 subsection, in a case in which the defendant is charged with a crime of violence, as
17 defined in § 14–101 of the Criminal Law Article, the court may release the defendant
18 on any terms and conditions that the court considers appropriate or may order the
19 defendant remanded to custody pending the outcome of the appeal.

20 B. The determination and enforcement of any terms and
21 conditions of release shall be in accordance with the provisions of Title 5 of the
22 Criminal Procedure Article.

23 (vi) If the State loses the appeal, the jurisdiction shall pay all
24 the costs related to the appeal, including reasonable attorney's fees incurred by the
25 defendant as a result of the appeal.

26 **DRAFTER'S NOTE:**

27 Error: Tabulation error and erroneous internal cross references in § 12–302(c) of
28 the Courts and Judicial Proceedings Article.

29 Occurred: Ch. 493, Acts of 1982, and Chs. 461 and 462, Acts of 2004.

30 **Article – Criminal Procedure**

31 5–202.

32 (f) (1) A District Court commissioner may not authorize the pretrial
33 release of a defendant charged with one of the following crimes if the defendant has
34 previously been convicted of one of the following crimes:

1 (iii) violating prohibitions relating to assault [pistols] WEAPONS
2 under § 4–303 of the Criminal Law Article;

3 DRAFTER'S NOTE:

4 Error: Erroneous terminology in § 5–202(f)(1)(iii) of the Criminal Procedure
5 Article.

6 Occurred: As a result of Ch. 427, Acts of 2013.

7 **Article – Economic Development**

8 10–620.

9 (c) (2) The Authority may exercise quick take condemnation under Article
10 III, § 40A of the [State] MARYLAND Constitution to acquire in Baltimore City for the
11 State private property for any purpose of the Authority:

12 (i) in accordance with §§ 8–334 through 8–339 of the
13 Transportation Article and Title 12 of the Real Property Article; and

14 (ii) only in Camden Yards and at the Hippodrome Performing
15 Arts site.

16 DRAFTER'S NOTE:

17 Error: Stylistic error in § 10–620(c)(2) of the Economic Development Article.

18 Occurred: Ch. 306, Acts of 2008.

19 **Article – Education**

20 3–110.

21 (b) (3) (i) The Governor shall designate as chair of the Commission
22 one of the five members appointed by the Governor under [subsection (b)(2)(ii) of this
23 section] **PARAGRAPH (2)(II) OF THIS SUBSECTION.**

24 DRAFTER'S NOTE:

25 Error: Stylistic error in § 3–110(b)(3)(i) of the Education Article.

26 Occurred: Ch. 454, Acts of 2007.

27 5–301.

1 (d) (4) In adopting any of these requirements, the State Board and the
2 Board of Public Works shall provide for the maximum exercise of initiative by school
3 personnel in each county to [insure] **ENSURE** that the school buildings and
4 improvements meet both the needs of the local communities and the rules and
5 regulations necessary to [insure] **ENSURE** the proper operation of this section and the
6 prudent expenditure of State funds.

7 DRAFTER'S NOTE:

8 Error: Incorrect word usage in § 5–301(d)(4) of the Education Article.

9 Occurred: Ch. 22, Acts of 1978. Correction by the publisher of the Annotated
10 Code in the 2013 Supplement of the Education Article is ratified by this Act.

11 7–424.

12 (e) The information contained in a victim of bullying, harassment, or
13 intimidation report form in accordance with subsection (c) of this section:

14 (1) Is confidential and may not be redisclosed except as otherwise
15 provided under the Family [Education] **EDUCATIONAL** Rights and Privacy Act or this
16 section; and

17 (2) May not be made a part of a student's permanent educational
18 record.

19 DRAFTER'S NOTE:

20 Error: Misnomer in § 7–424(e)(1) of the Education Article.

21 Occurred: Ch. 398, Acts of 2007.

22 7–1504.

23 (b) Subject to subsection (c) of this section, the operation of the Center shall
24 be supported by [funds]:

25 (1) [As] **FUNDS AS** provided by the Governor in the annual State
26 budget;

27 (2) Grants or other assistance from local education agencies;

28 (3) Federal grants; and

29 (4) Any other grants or contributions from public or private entities
30 received by the Center.

1 DRAFTER'S NOTE:

2 Error: Misplaced word in § 7–1504(b) of the Education Article.

3 Occurred: Ch. 372, Acts of 2013.

4 8–405.

5 (f) To fulfill the purposes of this section, school personnel may provide the
6 documents required under this [subsection] SECTION through:

7 (1) Electronic delivery;

8 (2) Home delivery with the student; or

9 (3) Any other reasonable and legal method of delivery.

10 DRAFTER'S NOTE:

11 Error: Stylistic error in § 8–405(f) of the Education Article.

12 Occurred: Ch. 386, Acts of 2012.

13 13–516.

14 (i) (1) The EMS Board may take action under subsection (h) of this
15 section only after:

16 (i) A review and recommendation by the provider review panel;
17 and

18 (ii) [After the] **THE** individual against whom the action is
19 contemplated has had an opportunity for a hearing in accordance with the provisions
20 of Title 10, Subtitle 2 of the State Government Article.

21 DRAFTER'S NOTE:

22 Error: Extraneous word in § 13–516(i)(1)(ii) of the Education Article.

23 Occurred: Ch. 201, Acts of 1997, which originally enacted the error in
24 § 13–516(h)(1)(ii) of the Education Article.

25 18–14A–01.

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

1 (2) “Dually enrolled student” means a student who is dually enrolled
2 in:

3 (i) A secondary school in the State; and

4 (ii) An institution of higher education in the State.

5 (3) [“Full-time equivalent enrollment” has the meaning stated in
6 § 5–202 of this article.

7 (4)] “Grant” means the Early College Access Grant.

8 (d) A recipient of a grant shall:

9 (1) Be a **DUALLY ENROLLED** student [dually enrolled in the State];
10 and

11 (2) Demonstrate financial need according to criteria established by the
12 Commission.

13 DRAFTER’S NOTE:

14 Error: Stylistic error in § 18–14A–01(a)(1); extraneous definition (defined term
15 is not used in the subtitle) in § 18–14A–01(a)(3); and misplaced language in
16 § 18–14A–01(d)(1) of the Education Article.

17 Occurred: Ch. 533, Acts of 2013; and misplaced language error, chs. 296 and
18 297, Acts of 2007. Corrections in § 18–14A–01(a) suggested by the Attorney General in
19 the Bill Review Letter for S.B. 740 (Ch. 533) of 2013, dated May 8, 2013.

20 18–1702.

21 (h) The Shriver Center shall serve as a clearinghouse for public and
22 nonprofit entities [who] **THAT** wish to hire public service summer interns
23 participating in the Program.

24 DRAFTER’S NOTE:

25 Error: Grammatical error in § 18–1702(h) of the Education Article.

26 Occurred: Ch. 490, Acts of 2007.

27 23–607.

28 (b) (1) The employer automatically shall deduct from the paycheck of an
29 employee who is a member of the **BARGAINING UNIT REPRESENTED BY THE**
30 certified exclusive representative dues authorized and owed by the employee to the

1 certified exclusive representative if the employee submits to the employer a dues
2 deduction authorization card that has been duly executed by the employee.

3 DRAFTER'S NOTE:

4 Error: Omitted language in § 23–607(b)(1) of the Education Article.

5 Occurred: Ch. 648, Acts of 2013.

6 23–609.

7 (e) (3) (iii) 2. The County Executive shall select one of the offers
8 submitted under [subparagraph] **SUBSUBPARAGRAPH** 1 of this [paragraph]
9 **SUBPARAGRAPH**.

10 DRAFTER'S NOTE:

11 Error: Stylistic error in § 23–609(e)(3)(iii)2 of the Education Article.

12 Occurred: Ch. 648, Acts of 2013. Correction by the publisher of the Annotated
13 Code in the 2013 Supplement of the Education Article is ratified by this Act.

14 24–1003.

15 (a) The Board consists of the following voting members:

16 (1) One representative of each of the 4–year institutions of higher
17 education offering a Commission–approved program at the Center and at a site,
18 appointed by the institution;

19 (2) The following [ten] **NINE** representatives, appointed in accordance
20 with the bylaws of the Board:

21 (i) Five members of the Frederick County Business Roundtable
22 for Education Executive Committee who are appointed as representatives from the
23 following groups:

24 1. The Frederick County Chamber of Commerce;

25 2. Frederick Community College;

26 3. Frederick County Public Schools;

27 4. Frederick County Office of Economic Development;

28 and

1 5. Frederick National Laboratory for Cancer Research
2 (operating contractor);

3 (ii) Two representatives of regional businesses, industries, or
4 corporations; and

5 (iii) Two representatives chosen from the community at-large;

6 (3) The President of Hood College; and

7 (4) The President of Mount St. Mary’s University.

8 DRAFTER’S NOTE:

9 Error: Incorrect statement of the number of certain appointed members of the
10 Frederick Regional Higher Education Advisory Board in § 24–1003(a)(2) of the
11 Education Article.

12 Occurred: Ch. 375, Acts of 2013. Correction suggested by the Attorney General
13 in the Bill Review Letter for H.B. 527 (Ch. 375) of 2013 (footnote 9), dated April 18,
14 2013. However, although the Attorney General was correct that the reference to “ten”
15 appointed members was erroneous, the suggested change to “eleven” was incorrect in
16 light of the fact that there are “nine” members of the Frederick Regional Higher
17 Education Advisory Board appointed in accordance with the bylaws of the Board.

18 **Article – Election Law**

19 13–227.

20 (c) (1) Subject to [§ 13–226(d) of this subtitle and] paragraphs (2) and (3)
21 of this subsection, during an election cycle, a campaign finance entity may not directly
22 or indirectly make transfers in a cumulative amount of more than \$6,000 to any one
23 other campaign finance entity.

24 DRAFTER’S NOTE:

25 Error: Erroneous cross-reference in § 13–227(c)(1) of the Election Law Article.

26 Occurred: Ch. 419, Acts of 2013.

27 **Article – Environment**

28 1–406.

29 The following units, among other units, are included in the Department:

30 (1) Air Quality Control Advisory Council;

- 1 (2) [Environmental Noise Advisory Council;
 2 (3)] Hazardous Substances Advisory Council;
 3 [(4)] (3) Radiation Control Advisory Board;
 4 [(5)] (4) Science and Health Advisory Group;
 5 [(6)] (5) Board of Waterworks and Waste System Operators;
 6 [(7)] (6) Board of Well Drillers; and
 7 [(8)] (7) Hazardous Waste Facilities Siting Board.

8 DRAFTER'S NOTE:

9 Error: Obsolete language in § 1–406(2) of the Environment Article.

10 Occurred: As a result of Ch. 360, Acts of 2012.

11 2–202.

12 (a) (2) Of the Council members:

13 (vii) 4 shall be [appointed] **APPOINTED**, 1 **FROM** each **LIST**, from
 14 lists of 3 qualified individuals submitted to the Secretary by:

15 1. The Chairman of the Board of Directors of the Council
 16 of Governments of Metropolitan Washington;

17 2. The President of the Johns Hopkins University;

18 3. The President of the Maryland State–D.C. AFL–CIO;
 19 and

20 4. The Chancellor of the University System of Maryland;

21 DRAFTER'S NOTE:

22 Error: Omitted comma and omitted language in § 2–202(a)(2)(vii) of the
 23 Environment Article.

24 Occurred: Ch. 240, Acts of 1982.

25 2–1002.

1 (f) (3) A person that owns, leases, operates, or controls an affected facility
2 shall demonstrate compliance with this subsection through the direct monitoring of
3 mercury emissions on a continuous basis, according to the requirements of 40 C.F.R.
4 Part 60, [60.49A(p), 60.4170–60.4176, and 40 C.F.R. Part 75, Subpart I] **SUBPART**
5 **UUUUU**.

6 DRAFTER'S NOTE:

7 Error: Erroneous cross-reference in § 2–1002(f)(3) of the Environment Article.

8 Occurred: As a result of 76 Fed. Reg. 17288 (Mar. 28, 2011) (repealing 40 Part
9 75, Subpart I) and 77 Fed. Reg. 9304 (Feb. 16, 2012) (repealing 40 C.F.R. Part 60,
10 60.49A(p) and 60.4170–60.4176, and adding Subpart UUUUU). These changes repeal
11 the federal Clean Air Mercury Rule, which was vacated by the D.C. Circuit Court, and
12 enact the new Mercury and Air Toxics Standards.

13 2–1103.

14 To minimize the administrative impact of the program and to minimize the
15 impact of motor vehicle emissions generated out of state on the air quality of this
16 State, the Department:

17 (2) May work in cooperation with, and enter into contracts or
18 agreements [with] **WITH**, California, other states, and the District of Columbia to
19 administer certification, in-use compliance, inspection, recall, and warranty
20 requirements for the program.

21 DRAFTER'S NOTE:

22 Error: Omitted comma in § 2–1103(2) of the Environment Article.

23 Occurred: Chs. 111 and 112, Acts of 2007.

24 3–401.

25 (c) (4) The sound level limits and noise control rules and regulations
26 adopted under this subsection shall be as follows for residential heat pumps and air
27 conditioning units:

28 (i) Residential heat pumps 75 [dba.] **DBA; AND**

29 (ii) Residential air conditioning units 70 dba.

30 DRAFTER'S NOTE:

1 Error: Incorrect punctuation and omitted conjunction in § 3–401(c)(4) of the
2 Environment Article.

3 Occurred: Ch. 14, Acts of 1997.

4 4–304.

5 (b) The sewage plan shall indicate necessary improvements required to
6 [insure] **ENSURE** that purity of the effluent meets required standards, and shall
7 include a time schedule to construct necessary improvements within [three] **3** years.

8 DRAFTER’S NOTE:

9 Error: Incorrect word usage and stylistic error in § 4–304(b) of the Environment
10 Article.

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

12 5–204.

13 (b) (4) Upon substantial completion of an [application] **APPLICATION**,
14 the Department shall draft a public notice that includes:

15 (i) The name and address of the applicant;

16 (ii) A description of the location and nature of the activity for
17 which application has been made;

18 (iii) The name, address, and telephone number of the office
19 within the Department from which information about the application may be obtained;

20 (iv) A statement that any further notices about actions on the
21 application will be provided only by mail to those persons on a mailing list of
22 interested persons;

23 (v) A description of how persons may submit information or
24 comments about the application, request a public informational hearing, or request to
25 be included on the mailing list of interested persons; and

26 (vi) A deadline for the close of the public comment period by
27 which information, comments, or requests must be received by the Department.

28 DRAFTER’S NOTE:

29 Error: Omitted comma in § 5–204(b)(4) of the Environment Article.

30 Occurred: Ch. 739, Acts of 1994.

1 5–602.

2 (b) In exploring and developing geothermal [resources] **RESOURCES**,
3 maximum possible consideration shall be afforded to:

4 (1) Avoiding waste and unreasonable use of natural resources;

5 (2) Protecting the environment; and

6 (3) Optimizing the productive use of the resource.

7 DRAFTER'S NOTE:

8 Error: Omitted comma in § 5–602(b) of the Environment Article.

9 Occurred: Ch. 549, Acts of 1978.

10 6–401.

11 (i) “School” means any elementary or secondary school as defined in the
12 Elementary and Secondary Education Act of 1965, at [20 U.S.C. 8801] **20 U.S.C. §**
13 **7801**.

14 DRAFTER'S NOTE:

15 Error: Erroneous cross–reference in § 6–401(i) of the Environment Article.

16 Occurred: As a result of the repeal of 20 U.S.C. § 8801 (Pub. L. 107–110, Title X,
17 § 1011, 115 Stat 1986; January 8, 2002) and the enactment of 20 U.S.C. § 7801 (Pub.
18 L. 107–110, Title IX, 115 Stat 1965; January 8, 2002).

19 6–823.

20 (b) On or after February 24, 1996, upon the execution of a lease or the
21 inception of a tenancy for an affected [property] **PROPERTY**, the owner of the affected
22 property shall give to the tenant a lead poisoning information packet prepared or
23 designated by the Department.

24 DRAFTER'S NOTE:

25 Error: Omitted comma in § 6–823(b) of the Environment Article.

26 Occurred: Ch. 114, Acts of 1994.

27 8–501.

1 (b) The Department may revoke any license issued under this title if the
2 Department finds that:

3 (4) The Department has been refused lawful entry to the premises for
4 the purpose of inspecting to [insure] ENSURE compliance with the conditions of the
5 license; or

6 DRAFTER'S NOTE:

7 Error: Incorrect word usage in § 8-501(b)(4) of the Environment Article.

8 Occurred: Ch. 431, Acts of 1990.

9 9-1605.2.

10 (a) (4) There is established a Bay Restoration Fee to be paid by any user
11 of a wastewater facility, an [onsite] ON-SITE sewage disposal system, or a holding
12 tank that:

13 (i) Is located in the State; or

14 (ii) Serves a Maryland user and is eligible for funding under
15 this subtitle.

16 (b) (1) (i) Beginning on July 1, 2012, the Bay Restoration Fee is:

17 1. For each residential dwelling that receives an
18 individual sewer bill and each user of an [onsite] ON-SITE sewage disposal system or
19 a holding tank that receives a water bill:

20 A. \$2.50 per month if the wastewater generated by a
21 residential dwelling is treated at a wastewater facility that does not discharge into the
22 Chesapeake Bay Watershed or the Coastal Bays Watershed;

23 B. \$2.50 per month if the [onsite] ON-SITE sewage
24 disposal system or holding tank is not located within the Chesapeake Bay Watershed
25 or the Coastal Bays Watershed;

26 C. \$5.00 per month if the wastewater generated by a
27 residential dwelling is treated at a wastewater facility that does discharge into the
28 Chesapeake Bay Watershed or the Coastal Bays Watershed; and

29 D. \$5.00 per month if the wastewater [onsite] ON-SITE
30 sewage disposal system or holding tank is located within the Chesapeake Bay
31 Watershed or the Coastal Bays Watershed;

1 2. For each user of an [onsite] ON–SITE sewage disposal
2 system that does not receive a water bill:

3 A. \$30 per year if the [onsite] ON–SITE sewage disposal
4 system is not located within the Chesapeake Bay Watershed or the Coastal Bays
5 Watershed; or

6 B. \$60 per year if the [onsite] ON–SITE sewage disposal
7 system is located within the Chesapeake Bay Watershed or the Coastal Bays
8 Watershed;

9 (2) (i) For a residential dwelling that receives an individual sewer
10 bill, a user of an [onsite] ON–SITE sewage disposal system or a holding tank that
11 receives a water bill, a building or group of buildings under single ownership or
12 management that receives a water and sewer bill and that contains multiple
13 residential dwellings that do not receive an individual sewer bill, and a nonresidential
14 user, the restoration fee shall be:

15 1. Stated in a separate line on the sewer or water bill, as
16 appropriate, that is labeled “Bay Restoration Fee”; and

17 2. Collected for each calendar quarter, unless a local
18 government or billing authority for a water or wastewater facility established some
19 other billing period on or before January 1, 2004.

20 (ii) 1. A. If the user does not receive a water bill, for
21 users of an [onsite] ON–SITE sewage disposal system and for users of a sewage
22 holding tank, the county in which the [onsite] ON–SITE sewage disposal system or
23 holding tank is located shall be responsible for collecting the restoration fee.

24 B. A county may negotiate with a municipal corporation
25 located within the county for the municipal corporation to collect the restoration fee
26 from [onsite] ON–SITE sewage disposal systems and holding tanks located in the
27 municipal corporation.

28 (c) A user of a wastewater facility is exempt from paying the restoration fee
29 if:

30 (1) (i) 1. The user’s wastewater facility’s average annual
31 effluent nitrogen and phosphorus concentrations, as reported in the facility’s State
32 discharge monitoring reports for the previous calendar year, demonstrate that the
33 facility is achieving enhanced nutrient removal, as defined under [§ 9–1601(m)] §
34 **9–1601(N)** of this subtitle; or

35 (d) (3) A local government, billing authority for a water or wastewater
36 facility, or any other authorized collecting agency:

1 (i) May use all of its existing procedures and authority for
2 collecting a water or sewer bill, an [onsite] ON-SITE sewage disposal system bill, or a
3 holding tank bill in order to enforce the collection of the Bay Restoration Fee; and

4 (4) (ii) An unpaid Bay Restoration Fee shall be a lien against the
5 property served by a wastewater facility, [onsite] ON-SITE sewage disposal system, or
6 holding tank.

7 (5) (i) In Caroline County, an unpaid Bay Restoration Fee shall be
8 a lien against the property served by a wastewater facility, [onsite] ON-SITE sewage
9 disposal system, or holding tank.

10 (h) (1) With regard to the funds collected under subsection (b)(1)(i)1, from
11 users of an [onsite] ON-SITE sewage disposal system or holding tank that receive a
12 water bill, (i)2, and (i)3 of this section, beginning in fiscal year 2006, the Comptroller
13 shall:

14 (i) Establish a separate account within the Bay Restoration
15 Fund; and

16 (ii) Disburse the funds as provided under paragraph (2) of this
17 subsection.

18 (2) The Comptroller shall:

19 (i) Deposit 60% of the funds in the separate account to be used
20 for:

21 1. Subject to paragraph (3) of this subsection, with
22 priority first given to failing systems and holding tanks located in the Chesapeake and
23 Atlantic Coastal Bays Critical Area and then to failing systems that the Department
24 determines are a threat to public health or water quality, grants or loans for up to
25 100% of:

26 A. The costs attributable to upgrading an [onsite]
27 ON-SITE sewage disposal system to the best available technology for the removal of
28 nitrogen;

29 B. The cost difference between a conventional [onsite]
30 ON-SITE sewage disposal system and a system that utilizes the best available
31 technology for the removal of nitrogen;

32 C. The cost of repairing or replacing a failing [onsite]
33 ON-SITE sewage disposal system with a system that uses the best available
34 technology for nitrogen removal;

1 D. The cost, up to the sum of the costs authorized under
2 item B of this item for each individual system, of replacing multiple [onsite] ON-SITE
3 sewage disposal systems located in the same community with a new community
4 sewerage system that is owned by a local government and that meets enhanced
5 nutrient removal standards; or

6 E. The cost, up to the sum of the costs authorized under
7 item C of this item for each individual system, of connecting a property using an
8 [onsite] ON-SITE sewage disposal system to an existing municipal wastewater facility
9 that is achieving enhanced nutrient removal level treatment; and

10 2. The reasonable costs of the Department, not to exceed
11 8% of the funds deposited into the separate account, to:

12 A. Implement an education, outreach, and upgrade
13 program to advise owners of [onsite] ON-SITE sewage disposal systems and holding
14 tanks on the proper maintenance of the systems and tanks and the availability of
15 grants and loans under item 1 of this item;

16 B. Review and approve the design and construction of
17 [onsite] ON-SITE sewage disposal system or holding tank upgrades;

18 C. Issue grants or loans as provided under item 1 of this
19 item; and

20 D. Provide technical support for owners of upgraded
21 [onsite] ON-SITE sewage disposal systems or holding tanks to operate and maintain
22 the upgraded systems; and

23 (3) (ii) Funding for the costs identified in paragraph (2)(i)1D of this
24 subsection may be provided if:

25 1. The environmental impact of the [onsite] ON-SITE
26 sewage disposal system is documented by the local government and confirmed by the
27 Department;

28 2. It can be demonstrated that:

29 A. The replacement of the [onsite] ON-SITE sewage
30 disposal system with a new community sewerage system is more cost effective for
31 nitrogen removal than upgrading each individual [onsite] ON-SITE sewage disposal
32 system; or

33 B. The individual replacement of the [onsite] ON-SITE
34 sewage disposal system is not feasible; and

1 3. The new community sewerage system will only serve
2 lots that have received a certificate of occupancy, or equivalent certificate, on or before
3 October 1, 2008.

4 (iii) Funding for the costs identified in paragraph (2)(i)1E of this
5 subsection may be provided only if all of the following conditions are met:

6 1. The environmental impact of the [onsite] **ON-SITE**
7 sewage disposal system is documented by the local government and confirmed by the
8 Department;

9 2. It can be demonstrated that:

10 A. The replacement of the [onsite] **ON-SITE** sewage
11 disposal system with service to an existing municipal wastewater facility that is
12 achieving enhanced nutrient removal level treatment is more cost-effective for
13 nitrogen removal than upgrading the individual [onsite] **ON-SITE** sewage disposal
14 system; or

15 B. The individual replacement of the [onsite] **ON-SITE**
16 sewage disposal system is not feasible;

17 3. The project is consistent with the county's
18 comprehensive plan and water and sewer master plan;

19 4. The [onsite] **ON-SITE** sewage disposal system was
20 installed as of October 1, 2008, and the property the system serves is located in a
21 priority funding area, in accordance with § 5-7B-02 of the State Finance and
22 Procurement Article; and

23 5. The local government has adopted a policy or
24 procedure that will guarantee that any future connection to an existing municipal
25 wastewater facility that is funded under paragraph (2)(i)1E of this subsection will
26 meet all of the requirements under this subparagraph.

27 (i) (2) Funds in the Bay Restoration Fund shall be used only:

28 (ix) Subject to the allocation of funds and the conditions under
29 subsection (h) of this section, for projects related to the removal of nitrogen from
30 [onsite] **ON-SITE** sewage disposal systems and cover crop activities.

31 (j) (2) The Committee consists of the following members:

1 (viii) Two individuals representing local health departments who
 2 have expertise in [onsite] ON–SITE sewage disposal systems, appointed by the
 3 Governor; and

4 (6) The Committee shall:

5 (v) In consultation with the governing body of each county:

6 1. Identify users of [onsite] ON–SITE sewage disposal
 7 systems and holding tanks; and

8 2. Make recommendations to the governing body of each
 9 county on the best method of collecting the Bay Restoration Fee from the users of
 10 [onsite] ON–SITE sewage disposal systems and holding tanks that do not receive
 11 water bills;

12 DRAFTER’S NOTE:

13 Error: Omitted hyphen in § 9–1605.2(a)(4), (b)(1)(i)1 and 2, (2)(i) and (ii)1,
 14 (d)(3)(i), (4)(ii), and (5)(i), (h)(1), (2)(i), (3)(ii) and (iii), (i)(2)(ix), and (j)(2)(viii) and
 15 (6)(v); erroneous cross–reference in § 9–1605.2(c)(1)(i)1.

16 Occurred: Ch. 428, Acts of 2004; Ch. 462, Acts of 2006; Chs. 492 and 493, Acts of
 17 2011; and Ch. 150, Acts of 2012; erroneous cross–reference as a result of Chs. 120, 121,
 18 225, and 226, Acts of 2008.

19 9–1701.

20 (e) (2) “Computer” does not include:

21 (i) A personal digital assistant device; **OR**

22 (ii) A computer peripheral device, including:

23 1. A mouse or other similar pointing device;

24 2. A printer; or

25 3. A detachable keyboard.

26 DRAFTER’S NOTE:

27 Error: Omitted conjunction in § 9–1701(e)(2) of the Environment Article.

28 Occurred: Ch. 384, Acts of 2005.

29 **Article – Family Law**

1 4–506.

2 (b) (2) The temporary protective order shall include notice to the
3 respondent:

4 (iii) that the final protective order shall be effective for the
5 period stated in the order, not to exceed 1 year or, under the circumstances described
6 in subsection [(i)(2)] **(J)(2)** of this section, 2 years, unless the judge extends the term
7 of the order under § 4–507(a)(2) of this subtitle or the court issues a permanent order
8 under subsection [(j)]**(K)** of this section; and

9 DRAFTER’S NOTE:

10 Error: Erroneous cross–references in § 4–506(b)(2)(iii) of the Family Law Article.

11 Occurred: Chs. 361 and 362, Acts of 2010.

12 5–592.

13 (b) The members shall include:

14 (3) at least 1 representative, appointed by the Secretary, from:

15 (ii) the Governor’s Office for Children[, Youth, and Families];

16 DRAFTER’S NOTE:

17 Error: Obsolete language in § 5–592(b)(3)(ii) of the Family Law Article.

18 Occurred: As a result of the transfer of the duties and responsibilities associated
19 with the Governor’s Office for Children, Youth, and Families to the Governor’s Office
20 for Children under Executive Order 01.01.2005.34, June 9, 2005.

21 14–305.

22 Based on the investigation under this subtitle, the local department shall:

23 (4) send to the local State’s Attorney and the appropriate local law
24 enforcement agency a report of the investigation of any incident of abuse, neglect, or
25 exploitation of an alleged vulnerable adult which was or should have been reported to
26 the appropriate local law enforcement agency under [paragraph] **ITEM (3)** of this
27 section.

28 DRAFTER’S NOTE:

29 Error: Stylistic error in § 14–305(4) of the Family Law Article.

1 Occurred: Ch. 243, Acts of 1987.

2 **Article – Health – General**

3 2–104.

4 (j) (2) Any rebates received by the Department from the Maryland AIDS
5 Drug Assistance Program shall be distributed to a special nonlapsing fund that is not
6 subject to § 7–302 of the State Finance and Procurement Article, to be used only to
7 fund the Maryland AIDS Drug Assistance Program and the Maryland AIDS
8 [Insurance] **DRUG** Assistance Program **PLUS (MADAP-PLUS)**.

9 DRAFTER’S NOTE:

10 Error: Obsolete reference in § 2–104(j)(2) of the Health – General Article.

11 Occurred: As a result of the termination of the Maryland AIDS Insurance
12 Assistance Program (MAIAP) and the transfer of clients served by MAIAP to the
13 Maryland AIDS Drug Assistance Program Plus as of June 30, 2009, by the
14 Department of Health and Mental Hygiene.

15 Subtitle 5. State Residential Centers for Individuals with [Mental Retardation] **AN**
16 **INTELLECTUAL DISABILITY.**

17 7–501.

18 (a) There are State residential centers for individuals with an intellectual
19 disability in the Developmental Disabilities Administration.

20 DRAFTER’S NOTE:

21 Error: Obsolete subtitle designation immediately preceding § 7–501 of the
22 Health – General Article.

23 Occurred: As a result of Ch. 119, Acts of 2009.

24 13–203.

25 (a) (1) The Advisory Council consists of [24] **23** members appointed by
26 the Governor.

27 (2) Of the [24] **23** Advisory Council members:

28 (i) Except as provided in paragraph (4) of this subsection, 1
29 member shall be appointed from a list of qualified individuals submitted to the
30 Governor by each of the following organizations:

- 1 1. The American Heart Association – Mid–Atlantic, Inc.;
- 2 2. The Department;
- 3 3. The Johns Hopkins Medical Institutions;
- 4 4. The Maryland Association of County Health Officers;
- 5 5. The Maryland Hospital Association, Inc.;
- 6 6. The Maryland Nurses Association;
- 7 7. The Medical and Chirurgical Faculty of the State of
8 Maryland;
- 9 8. The Monumental City Medical Society;
- 10 [9. The Baltimore Alliance for the Prevention and
11 Control of Hypertension and Diabetes;]
- 12 [10.] 9. The University of Maryland Hospital and
13 School of Medicine;
- 14 [11.] 10. The Maryland Academy of Family Physicians;
- 15 [12.] 11. The American College of Emergency Physicians
16 Maryland Chapter;
- 17 [13.] 12. The American Stroke Association;
- 18 [14.] 13. The American Society of Internal Medicine;
- 19 [15.] 14. The Maryland Institute for Emergency Medical
20 Services Systems;
- 21 [16.] 15. The Maryland State Council on Physical
22 Fitness;
- 23 [17.] 16. The Maryland Chapter of the American College
24 of Cardiology; and
- 25 [18.] 17. The Maryland Pharmacy Association; and
- 26 (ii) Six shall be members of the general public.
- 27 (3) The number of names on a list shall be 3.

1 (4) If a vacancy occurs for a reason other than expiration of the term,
2 the Governor may appoint any individual without the list.

3 DRAFTER'S NOTE:

4 Error: Obsolete reference in § 13–203(a)(2)(i)9 of the Health – General Article.

5 Occurred: As a result of the dissolution of the Baltimore Alliance for the
6 Prevention and Control of Hypertension and Diabetes. Correction suggested by the
7 Department of Health and Mental Hygiene.

8 13–506.

9 (a) (2) Of the 15 members:

10 (v) 1 shall be a representative of the [Governor's Committee on
11 Employment of the Handicapped] **DEPARTMENT OF DISABILITIES**;

12 DRAFTER'S NOTE:

13 Error: Obsolete reference in § 13–506(a)(2)(v) of the Health – General Article.

14 Occurred: As a result of Ch. 425, Acts of 2004 which transferred to the
15 Department of Disabilities the duties and responsibilities of the Governor's Office for
16 Individuals with Disabilities, included within which is the Governor's Committee on
17 Employment of the Handicapped (currently known as the Governor's Committee on
18 Employment of People with Disabilities) as a result of Executive Order 01.01.1998.06.

19 13–1504.

20 (a) (1) The Advisory Council shall be composed of 18 members as follows:

21 (ix) The Special Secretary of the Governor's Office for Children,
22 [Youth, and Families,] or the Special Secretary's designee;

23 DRAFTER'S NOTE:

24 Error: Obsolete reference in § 13–1504(a)(1)(ix) of the Health – General Article.

25 Occurred: As a result of the transfer of the duties and responsibilities associated
26 with the Governor's Office for Children, Youth, and Families to the Governor's Office
27 for Children under Executive Order 01.01.2005.34, June 9, 2005.

28 13–2103.

29 The Advisory Board consists of the following 36 voting members:

1 (8) One representative of the Department of Health and Mental
2 Hygiene, [Family Health Administration] **PREVENTION AND HEALTH PROMOTION**
3 **ADMINISTRATION**, Center for [Preventive Health Services] **CHRONIC DISEASE**
4 **PREVENTION AND CONTROL**, appointed by the Director of the Center;

5 (9) One representative of the Department of Health and Mental
6 Hygiene, [Family Health Administration] **PREVENTION AND HEALTH PROMOTION**
7 **ADMINISTRATION**, Office for Genetics and [Children] **PEOPLE** with Special Health
8 Care Needs, appointed by the Director of the Office;

9 DRAFTER'S NOTE:

10 Error: Obsolete references in § 13–2103(8) and (9) of the Health – General
11 Article.

12 Occurred: As a result of a reorganization of the Department of Health and
13 Mental Hygiene's Infectious Disease and Environmental Health and Family Health
14 Administrations that was requested by the Secretary of Health and Mental Hygiene in
15 a letter dated May 8, 2012 to the Secretary of Budget and Management. The
16 reorganization was approved by the Secretary of Budget and Management in a letter
17 dated June 8, 2012 and was effective July 1, 2012.

18 15–139.

19 (d) (1) The Governor's Office for [Children, Youth, and Families]
20 **CHILDREN** shall adopt regulations to carry out the provisions of subsection (c)(2) of
21 this section.

22 DRAFTER'S NOTE:

23 Error: Obsolete reference in § 15–139(d)(1) of the Health – General Article.

24 Occurred: As a result of the transfer of the duties and responsibilities associated
25 with the Governor's Office for Children, Youth, and Families to the Governor's Office
26 for Children under Executive Order 01.01.2005.34, June 9, 2005.

27 17–217.

28 (b) The Advisory Committee shall consist of:

29 (2) 1 representative of the [Health Industry Manufacturers
30 Association] **ADVANCED MEDICAL TECHNOLOGY ASSOCIATION**.

31 DRAFTER'S NOTE:

1 Error: Misnomer in § 17–217(b)(2) of the Health – General Article.

2 Occurred: As a result of the Health Industry Manufacturers Association
3 changing its name to the Advanced Medical Technology Association as of June 21,
4 2000.

5 19–143.

6 (d) (3) The regulations need not require incentives for the adoption and
7 meaningful use of electronic health [records,] RECORDS for each type of health care
8 provider listed in § 19–142(e) of this subtitle.

9 DRAFTER’S NOTE:

10 Error: Extraneous comma in § 19–143(d)(3) of the Health – General Article.

11 Occurred: Ch. 689, Acts of 2009.

12 19–308.9.

13 (b) (1) (ii) The [five] pilot programs shall be selected by the Maryland
14 Health Care Commission in a manner that ensures geographic balance in the State.

15 DRAFTER’S NOTE:

16 Error: Extraneous language in § 19–308.9(b)(1)(ii) of the Health – General
17 Article.

18 Occurred: Ch. 379, Acts of 2013. Correction suggested by the Attorney General
19 in the Bill Review Letter for H.B. 581 (Ch. 379) of 2013 (footnote 11), dated April 18,
20 2013, noting that the number of pilot programs is not limited to “five”, but that “[a]t
21 least five” pilot programs are required to be established under § 19–308.9 of the
22 Health – General Article.

23 Article – Health Occupations

24 1A–316.

25 (a) An acupuncturist licensed by the Board may provide supervision to as
26 many individuals performing auricular detoxification as permitted by Board
27 regulations, if each individual:

28 (1) Is:

29 (i) An alcohol, substance abuse, or chemical dependency
30 counselor who is:

1 1. Certified under Title 17, Subtitle [3] 4 of this article
2 to practice as a certified professional counselor–alcohol and drug, certified associate
3 counselor–alcohol and drug, or certified supervised counselor–alcohol and drug; or

4 2. Licensed to practice clinical alcohol and drug
5 counseling under Title 17, Subtitle [3A] 3 of this article;

6 DRAFTER’S NOTE:

7 Error: Erroneous cross–references in § 1A–316(a)(1)(i) of the Health
8 Occupations Article.

9 Occurred: As a result of Ch. 505, Acts of 2008.

10 3–5A–09.

11 To apply for a license or registration, an applicant shall:

12 (2) Submit to the Board evidence of compliance with the requirements
13 of § [3–5A–05] ~~3–5A–06~~ of this subtitle; and

14 DRAFTER’S NOTE:

15 Error: Erroneous cross–reference in § 3–5A–09(2) of the Health Occupations
16 Article.

17 Occurred: As a result of Chs. 242 and 243, Acts of 2008.

18 12–6C–03.2.

19 (b) The inspection report required under subsection (a) of this section shall
20 [be]:

21 (1) [Conducted] **BE CONDUCTED** within 1 year before the date of
22 application or renewal; and

23 (2) Demonstrate compliance with applicable federal good
24 manufacturing practice standards or USP 797, as defined in § 12–4A–01 of this title.

25 DRAFTER’S NOTE:

26 Error: Misplaced word in § 12–6C–03.2(b) of the Health Occupations Article.

27 Occurred: Ch. 397, Acts of 2013.

28 14–207.

1 (c) (2) (iii) If the Governor includes in the State budget at least
2 \$750,000 for the operation of the Health Personnel Shortage Incentive Grant Program
3 under § 18–803 of the Education Article and the Maryland Loan Assistance
4 Repayment Program for Physicians **UNDER TITLE 18, SUBTITLE 28** of the Education
5 Article, as administered by the Maryland Higher Education Commission, the
6 Comptroller shall distribute the fees to the Board of Physicians Fund.

7 DRAFTER'S NOTE:

8 Error: Omitted cross-reference in § 14–207(c)(2)(iii) of the Health Occupations
9 Article.

10 Occurred: Chs. 575 and 576, Acts of 2009.

11 14–404.

12 (a) Subject to the hearing provisions of § 14–405 of this subtitle, a
13 disciplinary panel, on the affirmative vote of a majority of the quorum of the
14 disciplinary panel, may reprimand any licensee, place any licensee on probation, or
15 suspend or revoke a license if the licensee:

16 (41) Performs a cosmetic surgical procedure in an office or a facility
17 that is not:

18 (i) Accredited by:

19 3. The Joint Commission on the Accreditation of [Health
20 Care] **HEALTHCARE** Organizations; or

21 DRAFTER'S NOTE:

22 Error: Grammatical error in § 14–404(a)(41)(i)3 of the Health Occupations
23 Article.

24 Occurred: Ch. 709, Acts of 2010.

25 14–5C–18.

26 (d) A person is not required under this section to make any report that would
27 be in violation of any federal or [state] **STATE** law, rule, or regulation concerning the
28 confidentiality of alcohol and drug abuse patient records.

29 DRAFTER'S NOTE:

30 Error: Capitalization error in § 14–5C–18(d) of the Health Occupations Article.

31 Occurred: Ch. 595, Acts of 2006.

1 14–5E–18.

2 (d) A person is not required under this section to make any report that would
3 be in violation of any federal or [state] **STATE** law, rule, or regulation concerning the
4 confidentiality of alcohol– and drug abuse–related patient records.

5 DRAFTER’S NOTE:

6 Error: Capitalization error in § 14–5E–18(d) of the Health Occupations Article.

7 Occurred: Ch. 588, Acts of 2011.

8 15–310.

9 (a) In reviewing an application for licensure or in investigating an allegation
10 brought under § 15–314 of this subtitle, the Committee may request the Board to
11 direct, or the Board on its own initiative may [direct] **DIRECT**, the physician assistant
12 to submit to an appropriate examination.

13 DRAFTER’S NOTE:

14 Error: Omitted comma in § 15–310(a) of the Health Occupations Article.

15 Occurred: Ch. 237, Acts of 1990.

16 19–202.

17 (a) (2) Of the 12 Board members:

18 (i) 10 shall be licensed social workers of whom:

19 1. Subject to paragraph (3) of this subsection, 1 is a
20 licensed **BACHELOR** social [work associate] **WORKER**;

21 DRAFTER’S NOTE:

22 Error: Obsolete language in § 19–202(a)(2)(i)1 of the Health Occupations
23 Article.

24 Occurred: As a result of Ch. 391, Acts of 2013.

25 19–302.

26 (b) To obtain a bachelor social [work] **WORKER** license, an applicant shall:

27 (1) Meet the requirements of subsection (a) of this section; and

1 (2) Have received a baccalaureate degree in social work from a
2 program that is accredited or is a candidate for accreditation by the Council on Social
3 Work Education or an equivalent organization approved by the Council on Social Work
4 Education.

5 DRAFTER'S NOTE:

6 Error: Obsolete language in § 19–302(b) of the Health Occupations Article.

7 Occurred: As a result of Ch. 391, Acts of 2013.

8 19–308.

9 (f) The Board may not renew a bachelor social [work] **WORKER** license or a
10 graduate social [work] **WORKER** license of a licensee who holds a baccalaureate degree
11 or master's degree from a program that was a candidate for accreditation but was
12 denied accreditation.

13 DRAFTER'S NOTE:

14 Error: Obsolete language in § 19–308(f) of the Health Occupations Article.

15 Occurred: As a result of Ch. 391, Acts of 2013.

16 **Article – Human Services**

17 5–318.1.

18 (c) The Program shall include, in addition to the FIP requirements for
19 recipients under § 5–309(b) of this subtitle:

20 (1) implementation of policies and procedures in the local department
21 that encourage increased participation of [fathers] **BOTH PARENTS** at the beginning
22 of the process for determining the eligibility of a family or custodial parent for FIP
23 benefits, including temporary cash assistance, unless the Department has reason to
24 believe [the father] **EITHER PARENT** has a history of domestic violence;

25 (2) development of a local department referral process or integrated
26 partnerships with other local or State agencies through which couples may jointly
27 access programs and services that target economic stability, healthy relationships, and
28 parenting; and

29 (3) implementation of the Program requirements under subsection (d)
30 of this section.

31 DRAFTER'S NOTE:

1 Error: Incorrect word usage in § 5–318.1(c)(1) of the Human Services Article.

2 Occurred: Ch. 367, Acts of 2013. Corrections suggested by the Attorney General
3 in the Bill Review Letter for H.B. 333 (Ch. 367) of 2013 (footnote 16), dated April 15,
4 2013, to ensure that the law and its implementation are gender neutral and consistent
5 with Article 46 of the Maryland Declaration of Rights. The Department of Human
6 Resources confirmed that the purpose of the pilot program is to promote two–parent
7 families and that implementation of the law has been consistent with the changes
8 suggested by the Attorney General.

9 **Article – Insurance**

10 15–111.

11 (b) The Commissioner shall report to the Maryland Health Care Commission
12 in a timely manner the name and address of each payor that is assessed a fee under §
13 19–111 of the Health – General Article [and the information required under §
14 19–111(g) of the Health – General Article].

15 DRAFTER’S NOTE:

16 Error: Obsolete reference in § 15–111(b) of the Insurance Article.

17 Occurred: As a result of Ch. 195, Acts of 2012, which repealed § 19–111(g) of the
18 Health – General Article. Former § 19–111(g) of the Health – General Article required
19 the Maryland Insurance Commissioner to notify the Maryland Health Care
20 Commission of specified information about health insurance premiums on or before a
21 specified date each year.

22 15–140.

23 (d) (2) (iii) An enrollee shall be allowed to continue to receive services
24 for the conditions under this paragraph for the time periods under subsection
25 [(c)(1)(ii)] **(C)(2)(II)** of this section.

26 DRAFTER’S NOTE:

27 Error: Incorrect cross–reference in § 15–140(d)(2)(iii) of the Insurance Article.

28 Occurred: Ch. 159, Acts of 2013.

29 15–508.

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

31 (2) “Carrier” has the meaning stated in § 15–1301 of this title.

1 (3) “Enrollment date” has the meaning stated in § 15–1301 of this
2 title.

3 (4) **“LATE ENROLLEE” HAS THE MEANING STATED IN § 15–1401**
4 **OF THIS TITLE.**

5 [[4] (5) “Plan year” means a calendar year or other consecutive
6 12–month period during which a health benefit plan provides coverage for health
7 benefits.

8 [[5] (6) “Policy or certificate” means any group or blanket health
9 insurance contract or policy that is issued or delivered in the State by an insurer or
10 nonprofit health service plan that provides hospital, medical, or surgical benefits on an
11 expense–incurred basis.

12 [[6] (7) “Preexisting condition provision” has the meaning stated in
13 § 15–1301 of this title.

14 [[7] “Late enrollee” has the meaning stated in § 15–1401 of this title.]

15 DRAFTER’S NOTE:

16 Error: Stylistic error (failure to codify definitions in alphabetical order) in §
17 15–508(a) of the Insurance Article.

18 Occurred: Ch. 294, Acts of 1997.

19 15–1212.

20 (e) Within 7 days after cancellation or nonrenewal of a health benefit plan,
21 the carrier shall send to each enrolled employee written notice of its action [and the
22 conversion rights available to each enrolled employee under § 15–412 of this title].

23 DRAFTER’S NOTE:

24 Error: Obsolete reference in § 15–1212(e) of the Insurance Article.

25 Occurred: As a result of Ch. 106, Acts of 2013, which repealed § 15–412 of the
26 Insurance Article.

27 24–213.

28 (a) The Legislative Auditor shall conduct a fiscal and compliance audit of the
29 accounts and transactions of the Society for each year in which the Society receives a

1 disbursement from the Rate Stabilization Account under § 19–805 of this article [other
2 than a disbursement made under § 19–805(b)(3) of this article].

3 DRAFTER’S NOTE:

4 Error: Obsolete reference in § 24–213(a) of the Insurance Article.

5 Occurred: As a result of Chs. 174 and 175, Acts of 2007, in accordance with
6 which § 19–805(b)(3) of the Insurance Article abrogated on June 30, 2010.

7 27–501.

8 (c) (2) Subject to § 27–914 of this title, an insurer that provides health
9 insurance, A nonprofit health service plan, or A health maintenance organization may
10 make an inquiry about race and ethnicity in an insurance form, questionnaire, or
11 other manner requesting general information, provided the information is used solely
12 for the evaluation of quality of care outcomes and performance measurements,
13 including the collection of information required under § 19–134 of the Health –
14 General Article.

15 DRAFTER’S NOTE:

16 Error: Omitted articles in § 27–501(c)(2) of the Insurance Article.

17 Occurred: Chs. 25 and 26, Acts of 2007.

18 27–914.

19 (b) An insurer that provides health insurance, A nonprofit health service
20 plan, or A health maintenance organization may not use race or ethnicity data to
21 reject, deny, limit, cancel, refuse to renew, increase the rates of, affect the terms or
22 conditions of, or otherwise affect a health insurance policy or contract.

23 DRAFTER’S NOTE:

24 Error: Omitted articles in § 27–914(b) of the Insurance Article.

25 Occurred: Chs. 25 and 26, Acts of 2007.

26 **Article – Labor and Employment**

27 9–638.

28 (a) (1) A covered employee under this section includes an individual who:

1 (ii) 1. is entitled to compensation from **THE CHESAPEAKE**
2 **EMPLOYERS' INSURANCE COMPANY, AS SUCCESSOR TO** the Injured Workers'
3 Insurance [Fund] **FUND**, for claims arising from events occurring on or before
4 January 1, 1988; and

5 DRAFTER'S NOTE:

6 Error: Obsolete language in § 9–638(a)(1)(ii)1 of the Labor and Employment
7 Article.

8 Occurred: As a result of Ch. 570, Acts of 2012, which converted the Injured
9 Workers' Insurance Fund into the Chesapeake Employers' Insurance Company and
10 provided that the Company is the successor of the Fund.

11 **Article – Land Use**

12 9–802.

13 (b) (1) The term of a member of the planning commission is [3] 4 years.

14 DRAFTER'S NOTE:

15 Error: Erroneous description of the length of the term of office in § 9–802(b)(1)
16 of the Land Use Article.

17 Occurred: Ch. 426, Acts of 2012.

18 22–407.

19 (a) (1) Judicial review of a final decision of the district council
20 [amendment], including an individual map amendment or a sectional map
21 amendment, may be requested by:

22 (i) any municipal corporation, governed special taxing district,
23 or person in the county;

24 (ii) any civic or homeowners association representing property
25 owners affected by the final decision; or

26 (iii) if aggrieved, the applicant [for the zoning map amendment].

27 DRAFTER'S NOTE:

28 Error: Extraneous language in § 22–407(a)(1) of the Land Use Article.

29 Occurred: Ch. 426, Acts of 2012.

Article – Local Government

1

2 13–108.

3 (a) This [subsection] SECTION applies to all counties, including Baltimore
4 City.

5 DRAFTER’S NOTE:

6 Error: Erroneous internal reference in § 13–108(a) of the Local Government
7 Article.

8 Occurred: Ch. 119, Acts of 2013.

9 16–305.

10 (c) (3) In conducting the audit, the auditor shall examine the methods,
11 accuracy, and legality of the financial records of the county, municipality, [and] OR
12 special taxing district.

13 DRAFTER’S NOTE:

14 Error: Incorrect word usage in § 16–305(c)(3) of the Local Government Article.

15 Occurred: Ch. 119, Acts of 2013. Correction by the publisher of the Annotated
16 Code in the 2013 Volume of the Local Government Article is ratified by this Act.

Article – Natural Resources

17

18 5–403.

19 (e) A county or municipality may not adopt a local law or ordinance for the
20 planting, care, and protection of roadside trees that applies to:

21 (1) The cutting or clearing of public utility rights-of-way or land for
22 electric generating stations licensed under § 7–204, § 7–205, § 7–207, or § 7–208 of the
23 Public Utilities Article, provided that:

24 (i) Any required certificates of public convenience and necessity
25 have been issued in accordance with § 5–1603(f) of this title; and

26 (ii) The cutting or clearing of the forest is conducted so as to
27 minimize the loss of forest;

28 (2) The routine maintenance of public utility rights-of-way; [and] OR

1 (3) The cutting or clearing of public utility rights-of-way or land for
2 new transmission or distribution lines.

3 DRAFTER'S NOTE:

4 Error: Erroneous conjunction in § 5-403(e) of the Natural Resources Article.

5 Occurred: Ch. 289, Acts of 2009.

6 10-908.

7 (a) Any properly accredited person desiring to assist the Department in the
8 control of wildlife injurious to agriculture or other interests, or to provide care and
9 treatment of sick or injured wildlife for rehabilitation and release back to the wild,
10 shall first obtain a wildlife [cooperator] **DAMAGE CONTROL** permit from the
11 Secretary.

12 (b) (1) The Secretary may issue a wildlife [cooperator] **DAMAGE**
13 **CONTROL** permit, on the payment of a reasonable fee, to a person who:

14 (i) Has adequate training in the capture, handling, and care of
15 wildlife; and

16 (ii) Owns or leases facilities demonstrated to be of sufficient size
17 and design to properly maintain the permitted wildlife in captivity.

18 DRAFTER'S NOTE:

19 Error: Obsolete terminology in § 10-908(a) and (b)(1) of the Natural Resources
20 Article.

21 Occurred: As a result of regulations adopted by the Department of Natural
22 Resources to repeal COMAR 08.03.09.05 (wildlife cooperator permit) and consolidate
23 various wildlife damage control permits and services under a new regulation, COMAR
24 08.03.15, Wildlife Damage Control Permits. *See*, 35:17 Md. R. 1485 (2008).

25 **Article – Public Safety**

26 5-134.

27 (c) A person is not required to complete a certified firearms safety training
28 course under subsection (b)(14) of this section [and § 5-118(b)(3)(x) of this subtitle] if
29 the person:

30 (1) has already completed a certified firearms safety training course
31 required under subsection (b)(14) of this section [and § 5-118(b)(3)(x) of this subtitle];

1 (2) is a law enforcement officer of the State or any local law
2 enforcement agency in the State;

3 (3) is a member, retired member, or honorably discharged member of
4 the armed forces of the United States or the National Guard;

5 (4) is a member of an organization that is required by federal law
6 governing its specific business or activity to maintain handguns and applicable
7 ammunition; or

8 (5) has been issued a permit to carry a handgun under Subtitle 3 of
9 this title.

10 DRAFTER'S NOTE:

11 Error: Obsolete references in § 5–134(c) of the Public Safety Article.

12 Occurred: As a result of Ch. 427, Acts of 2013, which repealed § 5–118(b)(3)(x) of
13 the Public Safety Article.

14 11–116.

15 (a) (2) Paragraph (1) of this subsection does not apply to a person who
16 neither intended to use nor used the explosives involved in violation of:

17 (xiii) [Article 24, § 11–512, § 11–513, or § 11–514 of the Code;

18 (xiv)] § 109 of the Code of Public Local Laws of Caroline County;

19 [(xv)] (XIV) § 4–103 of the Code of Public Local Laws of Carroll
20 County; or

21 [(xvi)] (XV) § 8A–1 of the Code of Public Local Laws of Talbot
22 County.

23 (b) (2) Paragraph (1) of this subsection does not apply to a person who
24 had probable cause to believe that the explosives involved would be used for a purpose
25 other than the violation of:

26 (xiii) [Article 24, § 11–512, § 11–513, or § 11–514 of the Code;

27 (xiv)] § 109 of the Code of Public Local Laws of Caroline County;

28 [(xv)] (XIV) § 4–103 of the Code of Public Local Laws of Carroll
29 County; or

1 [(xvi)] (XV) § 8A–1 of the Code of Public Local Laws of Talbot
2 County.

3 DRAFTER’S NOTE:

4 Error: Obsolete cross–references in § 11–116(a)(2)(xiii) and (b)(2)(xiii) of the
5 Public Safety Article.

6 Occurred: As a result of Ch. 119, Acts of 2013, which repealed Article 24, §§
7 11–512, 11–513, and 11–514 of the Code.

8 **Article – Real Property**

9 7–105.9.

10 (b) (1) In addition to any other notice required to be given by this Code or
11 the Maryland Rules, the person authorized to make a sale in an action to foreclose a
12 mortgage or deed of trust on residential property shall send, at the same time as the
13 notice required under § [7–105.1(f)(2)] **7–105.1(H)(2)** of this subtitle, a written notice
14 addressed to “all occupants” at the address of the residential property in substantially
15 the following form:

16 “IMPORTANT NOTICE

17 A foreclosure action has been filed against the property located at (insert
18 address) in the circuit court for (insert name of county). This notice is being sent to you
19 as a person who lives in this property.

20 A foreclosure sale of the property may occur at any time after 45 days from the
21 date of this notice.

22 Most renters have the right to continue renting the property after it is sold at
23 foreclosure. The foreclosure sale purchaser becomes the new landlord.

24 Most renters with a lease for a specific period of time have the right to continue
25 renting the property until the end of the lease term. Most month–to–month renters
26 have the right to continue renting the property for 90 days after receiving a written
27 notice to vacate from the new owner.

28 You should get legal advice to determine if you have these rights.

29 Below you will find the name, address, and telephone number of the person
30 authorized to sell the property. You may contact this person to notify him or her that
31 you are a tenant at the property and to find out more about the sale. For further
32 information, you may review the file in the office of the clerk of the circuit court. You
33 also may contact the Maryland Department of Housing and Community Development,

1 at (insert telephone number), or consult the Department's website, (insert website
2 address), for assistance.

3 Person authorized to sell the property:

4 _____
5 Name

6 _____
7 Address

8 _____
9 Telephone

10 _____
11 Date of this notice".

12 DRAFTER'S NOTE:

13 Error: Erroneous cross reference in § 7–105.9(b)(1) of the Real Property Article.

14 Occurred: As a result of Ch. 156, Acts of 2012.

15 **Article – State Finance and Procurement**

16 11–101.

17 (b) (3) “Architectural services” does not include construction inspection
18 services [or], services provided in connection with an energy performance contract
19 [for], **OR** structural, mechanical, plumbing, or electrical engineering.

20 DRAFTER'S NOTE:

21 Error: Omitted commas and incorrect word usage in § 11–101(b)(3) of the State
22 Finance and Procurement Article.

23 Occurred: Ch. 138, Acts of 2013. Correction suggested by the Attorney General,
24 Office of Counsel to the General Assembly, in a memo dated August 28, 2013.

25 **Article – State Government**

26 2–1237.

27 (a) In addition to any duties set forth elsewhere, the Office shall:

28 (6) perform the following duties with respect to the review of
29 expenditures:

1 (iv) evaluate each proposal of a unit of the State government for
2 an appropriation, including any proposal, that:

3 3. involves State financing of a capital improvement;
4 **AND**

5 **DRAFTER'S NOTE:**

6 Error: Omitted conjunction in § 2-1237(a)(6)(iv)3 of the State Government
7 Article.

8 Occurred: Ch. 598, Acts of 1992.

9 9-1A-09.

10 (b) As a condition of eligibility for funding under § 9-1A-29 of this subtitle, a
11 racing licensee shall:

12 (1) (i) for Laurel Park and Pimlico Race Course, conduct a
13 minimum of 220 annual live racing days combined between Laurel Park [or] **AND**
14 Pimlico Race Course unless otherwise agreed to by the racing licensee and the
15 organization that represents the majority of licensed thoroughbred owners and
16 trainers in the State or unless the racing licensee is prevented by weather, acts of God,
17 or other circumstances beyond the racing licensee's control;

18 **DRAFTER'S NOTE:**

19 Error: Erroneous conjunction in § 9-1A-09(b)(1)(i) of the State Government
20 Article.

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

22 10-510.

23 (b) (1) If a public body fails to comply with § 10-505, § 10-506, § 10-507,
24 § 10-508, or § 10-509(c) of this [subtitle] **SUBTITLE**, any person may file with a
25 circuit court that has venue a petition that asks the court to:

26 (i) determine the applicability of those sections;

27 (ii) require the public body to comply with those sections; or

28 (iii) void the action of the public body.

29 **DRAFTER'S NOTE:**

1 Error: Omitted comma in § 10–510(b)(1) of the State Government Article.

2 Occurred: Chs. 1 and 6, Acts of the Special Session of 2004.

3 **Article – State Personnel and Pensions**

4 23–201.

5 (a) Except as provided in subsection (b) of this section, §§ 23–203 through
6 23–205 of this subtitle apply only to:

7 (19) an employee of the Maryland Automobile Insurance Fund on or
8 after the date that the Maryland Automobile Insurance Fund begins participation in
9 the [Employee’s] **EMPLOYEES’** Pension System.

10 **DRAFTER’S NOTE:**

11 Error: Misnomer in § 23–201(a)(19) of the State Personnel and Pensions Article.

12 Occurred: Chs. 73 and 74, Acts of 2013.

13 29–404.

14 (a) (1) Except as provided in paragraph (2) of this subsection, this section
15 applies only to an allowance based on creditable service earned before July 1, 2011, for
16 a former member, retiree, or surviving beneficiary of a deceased member, former
17 member, or retiree of:

18 (i) the Employees’ Pension System, if the deceased member,
19 former member, or retiree was an employee of:

20 1. a participating governmental unit that has not elected
21 the contributory pension benefit or the Alternate Contributory Pension Selection for
22 its [member] **MEMBERS** in accordance with § 31–116 or § 31–116.1 of this article; or

23 2. a former participating governmental unit, other than
24 Frederick County, that has withdrawn before July 1, 1998, while a member;

25 **DRAFTER’S NOTE:**

26 Error: Grammatical error in § 29–404(a)(1)(i)1 of the State Personnel and
27 Pensions Article.

28 Occurred: Chs. 550 and 551, Acts of 2013.

29 **Article – Tax – General**

1 1–303.

2 (e) On or before July 1, 2017, an evaluation shall be made of the tax credits
3 under:

4 (2) [~~§ 10–726~~] **§ 10–725** of this article (biotechnology investment
5 incentive); and

6 DRAFTER’S NOTE:

7 Error: Erroneous cross–reference in § 1–303(e)(2) of the Tax – General Article.

8 Occurred: Chs. 568 and 569, Acts of 2012.

9 2–614.

10 (b) (1) (i) Except as provided in subparagraph (ii) of this paragraph,
11 from the special fund, the Comptroller shall distribute an amount equal to 17.2% of
12 the cost to administer the income tax on corporations to an administrative cost
13 account.

14 (ii) The percent of the cost to administer the income tax on
15 corporations that is distributed to an administrative cost account shall be:

16 1. 24% for the fiscal year beginning July 1, 2011;

17 2. 9.5% for the fiscal year beginning July 1, 2012; and

18 [(iii)] **3.** 19.5% for each fiscal year beginning on or after July 1,
19 2013, but before July 1, 2016.

20 DRAFTER’S NOTE:

21 Error: Erroneous tabulation in § 2–614(b)(1) of the Tax – General Article.

22 Occurred: Ch. 397, Acts of 2011.

23 2–1104.

24 (a) Except as otherwise provided in this section, after making the
25 distributions required under §§ 2–1101 through 2–1103 of this subtitle, from the
26 remaining motor fuel tax revenue, the Comptroller shall distribute:

27 (1) 2.3% to the Chesapeake Bay 2010 Trust Fund; [and]

28 DRAFTER’S NOTE:

1 Error: Extraneous conjunction in § 2–1104(a)(1) of the Tax – General Article.

2 Occurred: Ch. 180, Acts of 2013. Correction by the publisher of the Annotated
3 Code in the 2013 Supplement of the Tax – General Article is ratified by this Act.

4 10–208.

5 (b) The subtraction under subsection (a) of this section includes:

6 (1) if the child is a State resident at the time of adoption, reasonable
7 and necessary adoption fees, court costs, attorney fees, and other expenses not
8 exceeding:

9 (i) \$6,000 that a parent incurs in the adoption of a child
10 [whom] **WHO** the State determines is a child with a special need, as described in §
11 473(c)(1) and (2) of the Social Security Act, if the adoption is made through a private,
12 not for profit, licensed adoption agency or a public child welfare agency; and

13 (2) if the child is not a State resident at the time of adoption,
14 reasonable and necessary adoption fees, court costs, attorney fees, and other expenses
15 not exceeding:

16 (i) \$3,000 that a parent incurs in the adoption of a child
17 [whom] **WHO** the State determines is a child with a special need, as described in §
18 473(c)(1) and (2) of the Social Security Act, if the adoption is made through a private,
19 not for profit, licensed adoption agency, or a public child welfare agency; and

20 DRAFTER'S NOTE:

21 Error: Grammatical error in § 10–208(b)(1)(i) and (2)(i) of the Tax – General
22 Article.

23 Occurred: Ch. 178, Acts of 1989; Ch. 517, Acts of 2000.

24 10–725.

25 (c) (3) The Department shall:

26 (i) approve all applications that qualify for credits under this
27 section on a [first come first served] **FIRST-COME, FIRST-SERVED** basis; and

28 DRAFTER'S NOTE:

29 Error: Omitted comma and hyphens in § 10–725(c)(3)(i) of the Tax – General
30 Article.

31 Occurred: Ch. 99, Acts of 2005.

1 11–204.

2 (e) For a sale described under subsection [(b)(6)] **(B)(7)** of this section that is
3 not otherwise exempt under this section, only that part of the sale price that qualifies
4 for a deduction under the federal income tax as a charitable contribution under the
5 regulations and guidelines of the Internal Revenue Service is exempt from the sales
6 and use tax under this section.

7 DRAFTER’S NOTE:

8 Error: Erroneous cross–reference in § 11–204(e) of the Tax – General Article.

9 Occurred: As a result of Ch. 609, Acts of 2013.

10 **Article – Tax – Property**

11 7–208.

12 (a) **(4) “INDIVIDUAL WHO DIED IN THE LINE OF DUTY” MEANS AN**
13 **INDIVIDUAL WHO DIED WHILE IN THE ACTIVE MILITARY, NAVAL, OR AIR**
14 **SERVICE OF THE UNITED STATES AS A RESULT OF AN INJURY OR DISEASE THAT**
15 **IS DEEMED UNDER 38 U.S.C. § 105 TO HAVE BEEN INCURRED IN THE LINE OF**
16 **DUTY.**

17 [(4)] **(5)** “Surviving spouse” means an individual who has not
18 remarried and who:

19 (i) is the surviving spouse of a disabled veteran;

20 (ii) is the surviving spouse of an individual who died in the line
21 of duty; or

22 (iii) receives Dependency and Indemnity Compensation from the
23 United States Department of Veterans Affairs.

24 [(5) “Individual who died in the line of duty” means an individual who
25 died while in the active military, naval, or air service of the United States as a result
26 of an injury or disease that is deemed under 38 U.S.C. § 105 to have been incurred in
27 the line of duty.]

28 DRAFTER’S NOTE:

29 Error: Stylistic error (failure to codify definitions in alphabetical order) in
30 § 7–208(a) of the Tax – Property Article.

1 Occurred: Ch. 531, Acts of 2005.

2 9–319.

3 (c) The governing body of Queen Anne’s County may grant, by law, a
4 property tax credit under this section against the county property tax imposed on real
5 property that is:

6 (2) [is] used solely for:

7 (i) the maintenance of a natural area for public use;

8 (ii) a sanctuary for wildlife;

9 (iii) the environmental education of the public;

10 (iv) scientific research in ornithology; or

11 (v) the general management of wildlife.

12 DRAFTER’S NOTE:

13 Error: Extraneous word in § 9–319(c)(2) of the Tax – Property Article.

14 Occurred: Ch. 505, Acts of 1999.

15 12–117.

16 (b) (1) The recordation tax is imposed on the transfer of a controlling
17 interest in a real property [entity,] ENTITY as if the real [property] PROPERTY,
18 directly or beneficially owned by the real property entity, was conveyed by an
19 instrument of writing that is recorded with the clerk of the circuit court for a county or
20 filed with the Department under § 12–102 of this title.

21 DRAFTER’S NOTE:

22 Error: Misplaced comma in § 12–117(b)(1) of the Tax – Property Article.

23 Occurred: Ch. 3, § 7, Acts of the Special Session of 2007.

24 **Article – Transportation**

25 21–801.1.

26 (e) (1) Notwithstanding any other provision of this subtitle, a maximum
27 speed limit of more than 55 miles an hour may not be established or continued on any
28 highway in this State that[:

1 (i) Is] IS not an interstate highway or an expressway[; or

2 (ii) Would subject the State to federal funding sanctions under
3 23 United States Code § 154].

4 DRAFTER'S NOTE:

5 Error: Obsolete reference in § 21–801.1(e)(1)(ii) of the Transportation Article.

6 Occurred: As a result of enactment of the National Highway System
7 Designation Act of 1995, which repealed the prohibition against a state receiving
8 funding from the U.S. Department of Transportation for a project that did not comply
9 with certain speed limit requirements. *See*, Public Law 104–59.

10 **Chapter 180 of the Acts of 2013**

11 SECTION 5. AND BE IT FURTHER ENACTED, That, notwithstanding Section
12 [1] 2 of this Act, except as otherwise provided in this section, the altered distribution
13 of revenue from the motor fuel tax under the provisions of Title 2, Subtitle 11 of the
14 Tax – General Article as enacted by this Act does not apply until any Consolidated
15 Transportation Bonds that were issued by the Department of Transportation before
16 July 1, 2013, no longer remain outstanding and unpaid. In any fiscal year for which
17 funds are appropriated by the General Assembly to pay the amount due and payable
18 in that fiscal year for the principal of and interest on the Department of
19 Transportation's Consolidated Transportation Bonds, the revenue from the motor fuel
20 tax shall be distributed as provided in Title 2, Subtitle 11 of the Tax – General Article
21 as enacted by this Act.

22 DRAFTER'S NOTE:

23 Error: Erroneous internal reference in Ch. 180, § 5, Acts of 2013.

24 Occurred: Ch. 180, § 5, Acts of 2013. Correction suggested by the Attorney
25 General in the Bill Review Letter for S.B. 90 (Ch. 180) of 2013 (footnote 1), dated April
26 29, 2013.

27 **Chapter 424 of the Acts of 2013**

28 SECTION 28. AND BE IT FURTHER ENACTED, That, except as provided in
29 Sections [19, 20, 21,] 22, 23, 24, 25, 26, and 27 of this Act, this Act shall take effect
30 June 1, 2013.

31 DRAFTER'S NOTE:

32 Error: Incorrect internal references in Ch. 424, § 28, Acts of 2013.

1 Occurred: Ch. 424, § 28, Acts of 2013. Correction suggested by the Attorney
2 General in the Bill Review Letter for H.B. 101 (Ch. 424) of 2013, dated May 9, 2013.

3 **Chapter 492 of the Acts of 2013**

4 SECTION 3. AND BE IT FURTHER ENACTED, That:

5 (a) Except as provided in subsection (b) of this section, Section 1 of this Act may
6 not be construed to apply to:

7 (3) A nonwater-dependent project that was in existence on or before
8 [June 30, 1989] **DECEMBER 31, 2012.**

9 DRAFTER'S NOTE:

10 Error: Erroneous date in Ch. 492, § 3(a)(3), Acts of 2013.

11 Occurred: Ch. 492, § 3(a)(3), Acts of 2013. This conforming correction makes the
12 date consistent with the remainder of the bill. Correction suggested by the Attorney
13 General in the Bill Review Letter for S.B. 524 (Ch. 492) of 2013 (footnote 5), dated
14 April 26, 2013.

15 **Chapter 524 of the Acts of 2013**

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 July 1, 2013. It shall remain effective for a period of 2 years and, at the end of [May
18 31] **JUNE 30**, 2015, with no further action required by the General Assembly, this Act
19 shall be abrogated and of no further force and effect.

20 DRAFTER'S NOTE:

21 Error: Erroneous date in Ch. 524, § 2, Acts of 2013.

22 Occurred: Ch. 524, § 2, Acts of 2013. This conforming correction makes the
23 termination date consistent with the 2-year effective period of the bill.

24 **Chapter 617 of the Acts of 2013**

25 SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall
26 take effect on the recognition by the federal government of same-sex marriage for
27 purposes of the federal income tax. Within 5 days after the federal government
28 recognizes same-sex marriage for purposes of the federal income tax, the Office of the
29 Comptroller shall notify the Department of Legislative Services. If Section 2 of this Act
30 takes effect, **§ 10-807 OF THE TAX – GENERAL ARTICLE, AS ENACTED BY** Section 1
31 of this Act, shall be abrogated and of no further force and effect.

32 DRAFTER'S NOTE:

1 Error: Omitted language in Ch. 617, § 3, Acts of 2013.

2 Occurred: Ch. 617, § 3, Acts of 2013.

3 SECTION 2. AND BE IT FURTHER ENACTED, That the Drafter's Notes
4 contained in this Act are not law and may not be considered to have been enacted as
5 part of this Act.

6 SECTION 3. AND BE IT FURTHER ENACTED, That the provisions of this Act
7 are intended solely to correct technical errors in the law and there is no intent to
8 revive or otherwise affect law that is the subject of other acts, whether those acts were
9 signed by the Governor prior to or after the signing of this Act.

10 SECTION 4. AND BE IT FURTHER ENACTED, That the publishers of the
11 Annotated Code of Maryland, subject to the approval of the Department of Legislative
12 Services, shall make any changes in the text of the Annotated Code necessary to
13 effectuate any termination provision that was enacted by the General Assembly and
14 has taken effect or will take effect prior to October 1, 2014. Any enactment of the 2014
15 Session of the General Assembly that negates or extends the effect of a previously
16 enacted termination provision shall prevail over the provisions of this section.

17 SECTION 5. AND BE IT FURTHER ENACTED, That the publishers of the
18 Annotated Code of Maryland, in consultation with and subject to the approval of the
19 Department of Legislative Services, shall make nonsubstantive corrections to
20 codification, style, capitalization, punctuation, grammar, spelling, and any reference
21 rendered incorrect or obsolete by an Act of the General Assembly, with no further
22 action required by the General Assembly. The publishers shall adequately describe
23 any such correction in an editor's note following the section affected.

24 SECTION 6. AND BE IT FURTHER ENACTED, That this Act is an emergency
25 measure, is necessary for the immediate preservation of the public health or safety,
26 has been passed by a yea and nay vote supported by three-fifths of all the members
27 elected to each of the two Houses of the General Assembly, and shall take effect from
28 the date it is enacted.