

SENATE BILL 406

P5

EMERGENCY BILL

2lr1556

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

Introduced and read first time: January 24, 2022

Assigned to: Rules

Committee Report: Favorable

Senate action: Adopted

Read second time: February 21, 2022

CHAPTER _____

1 AN ACT concerning

2 **Annual Corrective Bill**

3 FOR the purpose of correcting certain errors or omissions in certain articles of the
4 Annotated Code; clarifying language; correcting certain obsolete references;
5 reorganizing certain sections of the Annotated Code; providing that this Act is not
6 intended to affect any law other than to correct technical errors; and providing for
7 the correction of certain errors and obsolete provisions by the publishers of the
8 Annotated Code.

9 BY repealing and reenacting, with amendments,
10 Article – Alcoholic Beverages
11 Section 9–2004(d)(1)(i) and (e)(1), 25–1604(b)(18) and (19), and 26–1614(a)(8)
12 Annotated Code of Maryland
13 (2016 Volume and 2021 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article – Business Occupations and Professions
16 Section 6–103(a)(5) and (b)
17 Annotated Code of Maryland
18 (2018 Replacement Volume and 2021 Supplement)

19 BY repealing and reenacting, with amendments,
20 Article – Corporations and Associations

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

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



Section 1–202(3), 2–105(c), 2–604(f), 4A–207(c)(3), 4A–1001(a), 4A–1003(3),
4A–1009(a)(8), 9A–1002(d)(3), 9A–1102(3), 10–206(b)(3), 10–209(a)(2), and
10–903(3)

Annotated Code of Maryland
(2014 Replacement Volume and 2021 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–1503(b) and 7–204(a)(2)(ii)1. and (4)(ii)1.
Annotated Code of Maryland
(2020 Replacement Volume and 2021 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 17–101(l), 17–102(b)(3), (e), (f)(1)(i) and (2), and (k), 17–103(a)(2),
17–104(a)(1), (b)(1), (c)(1), and (e), and 17–105(a)(1)
Annotated Code of Maryland
(2018 Replacement Volume and 2021 Supplement)

BY repealing and reenacting, without amendments,
Article – Education
Section 3–901(a)(1) and 7–1A–01(a)
Annotated Code of Maryland
(2018 Replacement Volume and 2021 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 3–901(a)(2), 7–1A–01(e), and 7–447.1(d)(14)(i)
Annotated Code of Maryland
(2018 Replacement Volume and 2021 Supplement)

BY repealing
Article – Education
Section 7–1A–01(d)
Annotated Code of Maryland
(2018 Replacement Volume and 2021 Supplement)

BY adding to
Article – Education
Section 7–1A–01(e)
Annotated Code of Maryland
(2018 Replacement Volume and 2021 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–1605.2(i)(2)(i)
Annotated Code of Maryland

- 1 (2014 Replacement Volume and 2021 Supplement)
- 2 BY repealing and reenacting, with amendments,
3 Article – Family Law
4 Section 5–704(a)
5 Annotated Code of Maryland
6 (2019 Replacement Volume and 2021 Supplement)
- 7 BY repealing and reenacting, with amendments,
8 Article – Financial Institutions
9 Section 12–410(e)(3)
10 Annotated Code of Maryland
11 (2020 Replacement Volume and 2021 Supplement)
- 12 BY repealing and reenacting, with amendments,
13 Article – General Provisions
14 Section 4–101(k)(3)(ii)
15 Annotated Code of Maryland
16 (2019 Replacement Volume and 2021 Supplement)
17 (As enacted by Chapter 658 of the Acts of the General Assembly of 2021)
- 18 BY repealing and reenacting, with amendments,
19 Article – Health – General
20 Section 4–211(d), 19–214.1(c)(2)(ii) and (f)(2)(ii), 19–214.2(i)(2)(iv), 20–1408(a)(2),
21 24–1202(a)(3), and 24–1203(a)
22 Annotated Code of Maryland
23 (2019 Replacement Volume and 2021 Supplement)
- 24 BY repealing and reenacting, with amendments,
25 Article – Health – General
26 Section 20–2002(b)
27 Annotated Code of Maryland
28 (2019 Replacement Volume and 2021 Supplement)
29 (As enacted by Chapters 466 and 467 of the Acts of the General Assembly of 2021)
- 30 BY repealing and reenacting, with amendments,
31 Article – Health Occupations
32 Section 8–508(a)(2)(ii), 12–6D–05(a)(2)(iii), 13–313(a), 14–5B–16(a), 14–5C–19(a),
33 14–5D–16(a), and 15–103(d), (e), and (g)
34 Annotated Code of Maryland
35 (2021 Replacement Volume)
- 36 BY repealing and reenacting, with amendments,
37 Article – Human Services
38 Section 5–5A–08(c)(1)
39 Annotated Code of Maryland
40 (2019 Replacement Volume and 2021 Supplement)

- 1 BY repealing and reenacting, with amendments,
2 Article – Insurance
3 Section 2–208(a)(3)
4 Annotated Code of Maryland
5 (2017 Replacement Volume and 2021 Supplement)
- 6 BY repealing and reenacting, with amendments,
7 Article – Labor and Employment
8 Section 3–1708(a) and (b)(1) and 8–311.2(c)(2)(ii)
9 Annotated Code of Maryland
10 (2016 Replacement Volume and 2021 Supplement)
- 11 BY repealing and reenacting, with amendments,
12 Article – Natural Resources
13 Section 3–126(d)(1)(i)5.B.
14 Annotated Code of Maryland
15 (2018 Replacement Volume and 2021 Supplement)
- 16 BY repealing and reenacting, with amendments,
17 Article – Public Safety
18 Section 2–315(c)(7), 3–522(b)(1) and (3) and (c)(2)(ii) and (iv) and (3), and
19 12–203(f)(6)(iii)4.
20 Annotated Code of Maryland
21 (2018 Replacement Volume and 2021 Supplement)
- 22 BY repealing and reenacting, with amendments,
23 Article – Public Utilities
24 Section 7–705(b–1), 12–101(e), 12–107(b)(4), 12–121(c)(1)(i) and (2), 12–122(c)(1),
25 12–125(b), and 12–131(d)(1)
26 Annotated Code of Maryland
27 (2020 Replacement Volume and 2021 Supplement)
- 28 BY repealing and reenacting, with amendments,
29 Article – Real Property
30 Section 12–102(1) and 12–106(c)
31 Annotated Code of Maryland
32 (2015 Replacement Volume and 2021 Supplement)
- 33 BY repealing and reenacting, with amendments,
34 Article – State Finance and Procurement
35 Section 2–209(c)(1)(i) through (viii) and (xiii) and 13–102.1(c)(4)
36 Annotated Code of Maryland
37 (2021 Replacement Volume)
- 38 BY repealing and reenacting, with amendments,
39 Article – State Government

Section 2–1247(a)(6)(iv), 9–1A–24(b)(4), 9–1A–36(g), 9–914.3(a) and (b)(1),
9–940(c)(2), 9–1005(a)(2), 9–1007(a)(1)(iv) and (3) and (b), and
20–1036(c)(1)(i)

Annotated Code of Maryland
(2021 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 25–113(f)(2)(iv)
Annotated Code of Maryland
(2020 Replacement Volume and 2021 Supplement)

BY repealing and reenacting, with amendments,
Chapter 645 of the Acts of the General Assembly of 2021
Section 8

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

Article – Alcoholic Beverages

9–2004.

(d) (1) Except as provided in § 9–2005 of this subtitle for December 31 and
January 1, a holder of a Class C beer, wine, and liquor license may sell beer, wine, and
liquor:

(i) on Monday through Saturday, for on–premises and off–premises
consumption, from 7 a.m. to 2 a.m. the following day; **AND**

(e) (1) Except as provided in § 9–2005 of this subtitle for December 31 and
January 1, a holder of a Class D beer, wine, and liquor license may sell beer, wine, and
liquor:

(i) on Monday through Saturday, for on–premises and off–premises
consumption, from 7 a.m. to 2 a.m. the following day; **AND**

(ii) on Sunday[,]:

1. from 11 a.m. to 2 a.m. the following day if the holder pays
an additional fee of \$250; or

[(iii)] 2. in accordance with a 2–day Sunday sales permit issued
under paragraph (2) of this subsection.

DRAFTER’S NOTE:

Error: Omitted conjunctions in § 9–2004(d)(1)(i) and (e)(1)(i) of the Alcoholic Beverages Article. Tabulation error in § 9–2004(e)(1)(ii) of the Alcoholic Beverages Article.

Occurred: Ch. 41, § 2, Acts of 2016.

25–1604.

(b) Except as otherwise provided in this section, the Board may issue, renew, approve the transfer of, and otherwise provide for:

(18) in accordance with § 25–1103 of this title, a refillable container permit for draft beer for A Class D–K license; and

(19) in accordance with § 25–1104 of this title, a refillable container permit for wine for A Class D–K license.

DRAFTER’S NOTE:

Error: Omitted article in § 25–1604(b)(18) and (19) of the Alcoholic Beverages Article.

Occurred: Ch. 349, Acts of 2020.

26–1614.

(a) The Board may issue:

(8) up to five Class B–DD (Development District) licenses to restaurants located within the Karington [mixed–used] **MIXED–USE** development, located in the southwest quadrant of the intersection of MD–214/Central Avenue and US–301/Crain Highway;

DRAFTER’S NOTE:

Error: Spelling error in § 26–1614(a)(8) of the Alcoholic Beverages Article.

Occurred: Ch. 730, Acts of 2016.

Article – Business Occupations and Professions

6–103.

(a) This title does not affect the right of any local jurisdiction of the State:

(5) to collect, from a person who is [licensed] **REGISTERED** with a local board, fees for:

- (i) an examination for a registration to provide electrical services;
- (ii) issuance and renewal of the registration; or
- (iii) an inspection.

(b) If a local jurisdiction [licenses] **REGISTERS** any class of electricians other than master electricians, journey person electricians, or apprentice electricians, that class is also under the control and supervision of the local board.

DRAFTER'S NOTE:

Error: Incorrect word usage in § 6–103(a)(5) and (b) of the Business Occupations and Professions Article.

Occurred: Ch. 708, Acts of 2021. Correction suggested by the Attorney General in the Bill Review Letter for S.B. 762 (Ch. 708) of 2021 (footnote 5), dated May 6, 2021.

Article – Corporations and Associations

1–202.

When the Department accepts for record any charter document or any document designating or changing the name or address of a resident agent or principal office of a Maryland corporation, the Department shall:

(3) **[(i)]** Send an acknowledgment to the corporation, its attorney, or its agent stating the date and time that the document was accepted for record~~]; and~~

(ii) Unless the corporation, its attorney, or its agent at the time of filing declines the return, return the document on payment of the fee provided in § 1–203(b)(10) of this subtitle].

DRAFTER'S NOTE:

Error: Obsolete cross-reference in § 1–202(3)(ii) of the Corporations and Associations Article.

Occurred: As a result of Ch. 44, Acts of 2018, which repealed the fee.

2–105.

(c) Notwithstanding subsection **[(a)(12)] (A)(13)** of this section, the board of directors of a corporation that is registered or intends to register as an open-end company under the Investment Company Act of 1940, after the registration as an open-end company takes effect, may increase or decrease the aggregate number of shares of stock or the number of shares of stock of any class that the corporation has authority to issue, unless a

provision has been included in the charter of the corporation after July 1, 1987 prohibiting an action by the board of directors to increase or decrease the aggregate number of shares of stock or the number of shares of stock of any class that the corporation has authority to issue.

DRAFTER'S NOTE:

Error: Erroneous internal reference in § 2–105(c) of the Corporations and Associations Article.

Occurred: As a result of Chs. 95 and 96, Acts of 2010.

2–604.

(f) Except as provided in subsection (b) of this section, the proposed amendment shall be approved by the stockholders of the corporation by the affirmative vote of [two thirds] **TWO–THIRDS** of all the votes entitled to be cast on the matter.

DRAFTER'S NOTE:

Error: Stylistic error in § 2–604(f) of the Corporations and Associations Article.

Occurred: Ch. 311, Acts of 1975.

4A–207.

(c) When the Department accepts for record any articles, certificate, or other document, the Department shall:

(3) [(i)] Send an acknowledgment to the limited liability company, its attorney, or its agent stating the date and time that the document was accepted for record[; and

(ii) Unless the limited liability company, its attorney, or its agent at the time of filing declines the return, return the document on payment of the fee provided in § 1–203(b)(10) of this article].

DRAFTER'S NOTE:

Error: Obsolete cross–reference in § 4A–207(c)(3)(ii) of the Corporations and Associations Article.

Occurred: As a result of Ch. 44, Acts of 2018, which repealed the fee.

4A–1001.

(a) Subject to the [Constitution of this State] **MARYLAND CONSTITUTION:**

(1) The laws of the state under which a foreign limited liability company is organized govern its organization, internal affairs, and the liability of its members; and

(2) A foreign limited liability company may not be denied registration by reason of any difference between those laws and the laws of this State.

DRAFTER'S NOTE:

Error: Stylistic error in § 4A–1001(a) of the Corporations and Associations Article.

Occurred: Ch. 536, Acts of 1992.

4A–1003.

If the Department finds that an application for registration meets the requirements of this title and all required fees have been paid, it shall:

(3) [(i)] Send an acknowledgment to the person who filed the application or a representative of the person who filed the application stating the date and time that the document was accepted for record[; and

(ii) Unless the person who filed the application or the person's representative at the time of filing declines the return, return the document on payment of the fee provided in § 1–203(b)(10) of this article].

DRAFTER'S NOTE:

Error: Obsolete cross-reference in § 4A–1003(3)(ii) of the Corporations and Associations Article.

Occurred: As a result of Ch. 44, Acts of 2018, which repealed the fee.

4A–1009.

(a) In addition to any other activities which may not constitute doing business in this State, for the purposes of this title, the following activities of a foreign limited liability company do not constitute doing business in this State:

(8) Selling or transferring title to property in this State so acquired to any person, including the Federal Housing Administration or the [Veterans Administration] **U.S. DEPARTMENT OF VETERANS AFFAIRS.**

DRAFTER'S NOTE:

Error: Misnomer in § 4A–1009(a)(8) of the Corporations and Associations Article.

Occurred: As a result of the federal Department of Veterans Affairs Act of 1988, which renamed the Veterans Administration to the U.S. Department of Veterans Affairs.

9A–1002.

(d) When the Department accepts for record any certificate or other document, the Department shall:

(3) [(i)] Send an acknowledgment to the limited liability partnership, its attorney, or its agent stating the date and time that the document was accepted for record[; and

(ii) Unless the limited liability partnership, its attorney, or its agent at the time of filing declines the return, return the document on payment of the fee provided in § 1–203(b)(10) of this article].

DRAFTER’S NOTE:

Error: Obsolete cross–reference in § 9A–1002(d)(3)(ii) of the Corporations and Associations Article.

Occurred: As a result of Ch. 44, Acts of 2018, which repealed the fee.

9A–1102.

If the Department finds that an application for registration meets the requirements of this subtitle and all required fees have been paid, it shall:

(3) [(i)] Send an acknowledgment to the person who filed the application or a representative of the person who filed the application stating the date and time that the document was accepted for record[; and

(ii) Unless the person who filed the application or the person’s representative at the time of filing declines the return, return the document on payment of the fee provided in § 1–203(b)(10) of this article].

DRAFTER’S NOTE:

Error: Obsolete cross–reference in § 9A–1102(3)(ii) of the Corporations and Associations Article.

Occurred: As a result of Ch. 44, Acts of 2018, which repealed the fee.

10–206.

(b) When the Department accepts for record any certificate, the Department shall:

(3) [(i)] Send an acknowledgment to the partnership, its attorney, or its agent stating the date and time that the document was accepted for record[; and

(ii) Unless the partnership, its attorney, or its agent at the time of filing declines the return, return the document on payment of the fee provided in § 1–203(b)(10) of this article].

DRAFTER’S NOTE:

Error: Obsolete cross–reference in § 10–206(b)(3)(ii) of the Corporations and Associations Article.

Occurred: As a result of Ch. 44, Acts of 2018, which repealed the fee.

10–209.

(a) (2) When the Comptroller certifies the list [of] **TO** the Department, the Comptroller shall mail to each listed limited partnership, at its address as it appears on the Comptroller’s records, a notice that its right to do business in Maryland and the right to the use of its name will be forfeited unless all taxes, interest, and penalties due by it are paid.

DRAFTER’S NOTE:

Error: Incorrect word usage in § 10–209(a)(2) of the Corporations and Associations Article.

Occurred: Ch. 295, Acts of 1995.

10–903.

If the Department finds that an application for registration meets the requirements of this title and all required fees have been paid, it shall:

(3) [(i)] Send an acknowledgment to the person who filed the application or his representative stating the date and time that the document was accepted for record[; and

(ii) Unless the person who filed the application or the person’s representative at the time of filing declines the return, return the document on payment of the fee provided in § 1–203(b)(10) of this article].

DRAFTER'S NOTE:

Error: Obsolete cross-reference in § 10-903(3)(ii) of the Corporations and Associations Article.

Occurred: As a result of Ch. 44, Acts of 2018, which repealed the fee.

Article – Courts and Judicial Proceedings

3-1503.

(b) [(1)] The petition shall:

[(i)] (1) Be under oath and provide notice to the petitioner that an individual who knowingly provides false information in the petition is guilty of a misdemeanor and on conviction is subject to the penalties specified in subsection (d) of this section;

[(ii)] (2) Subject to the provisions of subsection (c) of this section, contain the address of the petitioner or the petitioner's employee; and

[(iii)] (3) Include all information known to the petitioner of:

[1.] (I) The nature and extent of the act specified in subsection (a) of this section for which the relief is being sought, including information known to the petitioner concerning previous harm or injury resulting from an act specified in subsection (a) of this section by the respondent;

[2.] (II) Each previous and pending action between the parties in any court; and

[3.] (III) The whereabouts of the respondent.

DRAFTER'S NOTE:

Error: Tabulation error in § 3-1503(b) of the Courts Article.

Occurred: Ch. 404, Acts of 1999.

7-204.

(a) (2) The Clerk of the Circuit Court for Baltimore County shall:

(ii) Charge as costs the following fee for docketing the appearance of counsel when bringing or defending a criminal action:

1 1. If the punishment for the offense charged is [death or]
2 confinement in the State penitentiary, a \$20 fee; and

3 (4) The Clerk of the Circuit Court for Baltimore City shall:

4 (ii) Charge as costs the following fee for docketing the appearance of
5 counsel when bringing or defending a criminal action:

6 1. If the punishment for the offense charged is [death or]
7 confinement in the State penitentiary, a \$20 fee; and

8 DRAFTER'S NOTE:

9 Error: Obsolete term in § 7–204(a)(2)(ii)1 and (4)(ii)1 of the Courts Article.

10 Occurred: As a result of Ch. 156, Acts of 2013, which repealed the death penalty.

11 Article – Criminal Procedure

12 17–101.

13 (l) “STR DNA profile” means a genetic profile that examines genetic locations on
14 the non–sex chromosomes that are used for the statewide DNA [data base] **DATABASE**
15 system or the national DNA [data base] **DATABASE** system.

16 DRAFTER'S NOTE:

17 Error: Stylistic error in § 17–101(l) of the Criminal Procedure Article.

18 Occurred: Chs. 681 and 682, Acts of 2021.

19 17–102.

20 (b) A sworn affidavit shall be submitted by a law enforcement agent with approval
21 of a prosecutor from the relevant jurisdiction asserting that:

22 (3) an STR DNA profile has already been developed from the forensic
23 sample, was entered into the statewide DNA [data base] **DATABASE** system and the
24 national DNA [data base] **DATABASE** system, and failed to identify a known individual;
25 and

26 (e) The laboratory conducting SNP or other sequencing–based testing and the
27 genetic genealogist participating in FGGS shall be licensed by the Office of Health Care
28 Quality in accordance with § 17–104 of this [subtitle] **TITLE**.

(f) (1) (i) Subject to subparagraph (ii) of this paragraph, informed consent in writing shall be obtained from any third party whose DNA sample is sought for the purpose of assisting [a] AN FGGS and all statements made in obtaining the informed consent shall be documented from beginning to end by video or audio recording.

(2) The person obtaining the informed consent shall have training from a genetic counselor approved by the Office of Health Care Quality under § 17–104 of this [subtitle] TITLE within 1 year after the Office of Health Care Quality has identified and approved a genetic counselor or within 1 year after the person joins the investigative unit conducting the investigation, whichever is later.

(k) A person whose genetic genealogy information, FGG profile, or DNA sample is wrongfully disclosed, collected, or maintained in violation of this [subtitle] TITLE has a private right of action under relevant State law guiding tort claims, and is entitled to minimum liquidated damages of \$5,000 for a violation.

DRAFTER'S NOTE:

Error: Stylistic errors in § 17–102(b)(3), (e), and (f)(2) of the Criminal Procedure Article. Incorrect word usage in § 17–102(f)(1)(i) of the Criminal Procedure Article. Erroneous internal reference in § 17–102(k) of the Criminal Procedure Article.

Occurred: Chs. 681 and 682, Acts of 2021.

17–103.

(a) A defendant in a criminal case charged with a crime of violence under § 14–101 of the Criminal Law Article or a defendant convicted of a crime of violence under § 14–101 of the Criminal Law Article and seeking postconviction DNA testing is entitled to seek judicial authorization for an FGGS by filing an affidavit with a trial court or postconviction court certifying that:

(2) an STR DNA profile has already been developed from the forensic sample, was entered into the State DNA [data base] DATABASE system and the [National] NATIONAL DNA [data base] DATABASE system, and failed to identify a known individual;

DRAFTER'S NOTE:

Error: Stylistic errors in § 17–103(a)(2) of the Criminal Procedure Article.

Occurred: Chs. 681 and 682, Acts of 2021.

17–104.

(a) The Office of Health Care Quality shall establish:

(1) a licensing program for laboratories performing SNP or other [sequencing based] **SEQUENCING–BASED** testing on evidence in support of FGGS on or before October 1, 2022; and

(b) The Office of Health Care Quality shall:

(1) develop a training program on obtaining informed consent under §§ 17–102 and 17–103 of this [subtitle] **TITLE**; and

(c) The Maryland Forensic Laboratory Advisory Committee shall:

(1) establish best practices for laboratories performing SNP or other [sequencing based] **SEQUENCING–BASED** methods; and

(e) Neither the laboratory conducting SNP or other [sequencing based] **SEQUENCING–BASED** testing, nor a law enforcement official, may disclose genetic genealogy information without authorization.

DRAFTER’S NOTE:

Error: Omitted hyphens in § 17–104(a)(1), (c)(1), and (e) of the Criminal Procedure Article. Stylistic error in § 17–104(b)(1) of the Criminal Procedure Article.

Occurred: Chs. 681 and 682, Acts of 2021.

17–105.

(a) On or before June 1 annually, the Governor’s Office of Crime Prevention, Youth, and Victim Services shall submit a publicly available report to the Governor and, in accordance with § 2–1257 of the State Government Article, the General Assembly, that shall include, for the preceding calendar year:

(1) the number of requests for FGGS made, broken down by number of requests made by prosecutors, [pre–trial] **PRETRIAL** defendants, and postconviction defendants;

DRAFTER’S NOTE:

Error: Extraneous hyphen in § 17–105(a)(1) of the Criminal Procedure Article.

Occurred: Chs. 681 and 682, Acts of 2021.

Article – Education

3–901.

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

(2) “Board of [Education District] **EDUCATION DISTRICT**” means a geographic area of Montgomery County in which an elected member of the Montgomery County Board of Education must be a legal resident. The geographic area of each district is described in subsection (f) of this section. Each district shall be substantially equal in population, and the districts shall be reapportioned on the basis of each decennial census of the United States.

DRAFTER’S NOTE:

Error: Stylistic error in § 3–901(a)(2) of the Education Article.

Occurred: Ch. 660, Acts of 1985.

7–1A–01.

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

[(d) “Eligible public provider” means an early learning program that:

(1) Is provided by a county board at a public school; and

(2) Meets the requirements under § 7–1A–04 of this subtitle.]

[(e)] **(D)** (1) “Eligible private provider” means a [community based] **COMMUNITY–BASED** early learning program that:

(i) Is licensed in the State;

(ii) Does not charge more tuition for full–day prekindergarten than the cost of quality; and

(iii) Meets the requirements under § 7–1A–04 of this subtitle.

(2) “Eligible private provider” includes the Ulysses Currie Head Start Program under § 5–231 of this article.

(E) “ELIGIBLE PUBLIC PROVIDER” MEANS AN EARLY LEARNING PROGRAM THAT:

(1) IS PROVIDED BY A COUNTY BOARD AT A PUBLIC SCHOOL; AND

(2) MEETS THE REQUIREMENTS UNDER § 7–1A–04 OF THIS SUBTITLE.

1 DRAFTER'S NOTE:

2 Error: Stylistic error (failure to codify definitions in alphabetical order) and omitted
3 hyphen in § 7–1A–01(d) and (e) of the Education Article.

4 Occurred: Ch. 36, § 3, Acts of 2021.

5 7–447.1.

6 (d) The Consortium consists of the following members:

7 (14) The following members appointed by the Governor:

8 (i) One representative of the [community] behavioral health
9 community with expertise in telehealth;

10 DRAFTER'S NOTE:

11 Error: Extraneous word in § 7–447.1(d)(14)(i) of the Education Article.

12 Occurred: Ch. 36, § 3, Acts of 2021.

13 **Article – Environment**

14 9–1605.2.

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

16 (i) 1. To award grants for up to 100% of eligible costs of projects
17 relating to planning, design, construction, and upgrade of a publicly owned wastewater
18 facility for flows up to the design capacity of the wastewater facility, as approved by the
19 Department, to achieve enhanced nutrient removal in accordance with [paragraph (3)]
20 **PARAGRAPH (4)** of this subsection; and

21 2. To award grants for up to 50% of eligible costs of projects
22 relating to planning, design, construction, and upgrade of a privately owned wastewater
23 facility for flows up to the design capacity of the wastewater facility, as approved by the
24 Department, to achieve enhanced nutrient removal in accordance with [paragraph (3)]
25 **PARAGRAPH (4)** of this subsection;

26 DRAFTER'S NOTE:

27 Error: Erroneous internal reference in § 9–1605.2(i)(2)(i) of the Environment Article.

28 Occurred: As a result of Chs. 366 and 367, Acts of 2017, which added a new
29 paragraph (3).

Article – Family Law

5–704.

(a) Notwithstanding any other provision of law, including any law on privileged communications, each health practitioner, police officer, educator, or human service worker, acting in a professional capacity in this State[:

(1)] who has reason to believe that a child has been subjected to abuse or neglect[,]:

(1) shall notify the local department or the appropriate law enforcement agency; and

(2) if acting as a staff member of a hospital, public health agency, child care institution, juvenile detention center, school, or similar institution, shall immediately notify and give all information required by this section to the head of the institution or the designee of the head.

DRAFTER’S NOTE:

Error: Erroneous tabulation in § 5–704(a) of the Family Law Article.

Occurred: As a result of Chs. 398 and 399, Acts of 2011.

Article – Financial Institutions

12–410.

(e) (3) Each licensee shall conspicuously display the following information on the licensee’s website, [a] ANY mobile application through which the services are offered, [on] the outside of the self-service financial kiosk, any software application accessible to the public and used for money transmission services, and THE profile page within each social media platform the licensee uses:

(i) The licensee’s unique identifier;

(ii) A link to the NMLS Consumer Access website; and

(iii) A notice stating, “The Commissioner of Financial Regulation for the State of Maryland will accept all questions or complaints from Maryland residents regarding (name of licensee and unique identifier) at (address of Commissioner), phone (toll-free phone number of the Commissioner)”.

DRAFTER’S NOTE:

Error: Incorrect word usage, extraneous word, and omitted article in § 12–410(e)(3) of the Financial Institutions Article.

Occurred: As a result of Chs. 100 and 101, Acts of 2021, each of which amended § 12–410(e)(3) of the Financial Institutions Article. Correction suggested by the Attorney General in the Bill Review Letter for S.B. 219 and 251 (Chs. 100 and 101) of 2021 (footnote 1), dated April 12, 2021.

Article – General Provisions

4–101.

(k) (3) “Public record” does not include:

(ii) a record or any information submitted to the Public Access Ombudsman or the Board under Subtitle [1A] 1B of this title.

DRAFTER’S NOTE:

Error: Erroneous cross–reference in § 4–101(k)(3)(ii) of the General Provisions Article.

Occurred: Ch. 658, Acts of 2021. Correction suggested by the Attorney General in the Bill Review Letter for H.B. 183 (Ch. 658) of 2021 (footnote 1), dated May 6, 2021.

Article – Health – General

4–211.

(d) The Secretary may not make a new certificate of birth in connection with an order of a court of competent jurisdiction relating to the adoption of an individual, if one of the following so directs the Secretary:

(1) The court that decrees the adoption[.];

(2) The adoptive parents[.]; OR

(3) The adopted individual, if an adult.

DRAFTER’S NOTE:

Error: Incorrect punctuation and omitted conjunction in § 4–211(d) of the Health – General Article.

Occurred: Ch. 21, Acts of 1982.

19–214.1.

(c) (2) The notice required under paragraph (1) of this subsection shall:

(ii) Be provided in the patient's preferred language or, if no preferred language is specified, each language spoken by a limited English proficient population that constitutes **AT LEAST** 5% of the overall population within the city or county in which the hospital is located as measured by the most recent census.

(f) (2) The information sheet shall:

(ii) Be in the patient's preferred language or, if no preferred language is specified, each language spoken by a limited English proficient population that constitutes **AT LEAST** 5% of the overall population within the city or county in which the hospital is located as measured by the most recent census.

DRAFTER'S NOTE:

Error: Omitted words in § 19–214.1(c)(2)(ii) and (f)(2)(ii) of the Health – General Article.

Occurred: Ch. 470, Acts of 2020.

19–214.2.

(i) (2) The notice required under paragraph (1) of this subsection shall:

(iv) Be provided in the patient's preferred language or, if no preferred language is specified, each language spoken by a limited English proficient population that constitutes **AT LEAST** 5% of the population within the jurisdiction in which the hospital is located as measured by the most recent federal census.

DRAFTER'S NOTE:

Error: Omitted words in § 19–214.2(i)(2)(iv) of the Health – General Article.

Occurred: Chs. 769 and 770, Acts of 2021.

20–1408.

(a) (2) The reporting required under paragraph (1) of this subsection shall be **SUBMITTED** periodically in accordance with a schedule determined by the Commission.

DRAFTER'S NOTE:

Error: Omitted word in § 20–1408(a)(2) of the Health – General Article.

Occurred: Ch. 742, Acts of 2021.

1 20–2002.

2 (b) A person who violates [§ 20–2001] **SUBSECTION (A)** of this [subtitle]
3 **SECTION** is subject to a civil penalty imposed by the Department not exceeding \$5,000 for
4 each violation.

5 **DRAFTER’S NOTE:**

6 Error: Erroneous cross–reference in § 20–2002(b) of the Health – General Article.

7 Occurred: Chs. 466 and 467, Acts of 2021.

8 24–1202.

9 (a) The General Assembly:

10 (3) Acknowledges that the three–digit number, 2–1–1, is a nationally
11 recognized and applied telephone number which may be used for information and referral
12 and eliminates delays caused by lack of familiarity with health and human [service]
13 **SERVICES** numbers and by understandable confusion in circumstances of crisis; and

14 **DRAFTER’S NOTE:**

15 Error: Grammatical error in § 24–1202(a)(3) of the Health – General Article.

16 Occurred: Ch. 390, Acts of 2004.

17 24–1203.

18 (a) Except as provided in subsection [(d)] **(C)** of this section, an agency or
19 organization shall be approved by 2–1–1 Maryland as a 2–1–1 Maryland call center in order
20 to provide 2–1–1 services in the State.

21 **DRAFTER’S NOTE:**

22 Error: Erroneous internal reference in § 24–1203(a) of the Health – General Article.

23 Occurred: Ch. 295, Acts of 2020.

24 **Article – Health Occupations**

25 8–508.

26 (a) (2) “Nurse practitioner” means a registered nurse who is:

(ii) Authorized to prescribe drugs under regulations adopted by the [State] Board [of Nursing].

DRAFTER'S NOTE:

Error: Extraneous language in § 8–508(a)(2)(ii) of the Health Occupations Article.

Occurred: Ch. 454, Acts of 1993.

12–6D–05.

(a) An applicant for registration shall:

(2) Provide documentation of:

(iii) For an applicant who satisfies the requirements under [§ 12–6D–02(a)(4)] **§ 12–6D–03(A)(4)** of this subtitle, proof of:

1. Educational equivalency; and

2. Oral English competency;

DRAFTER'S NOTE:

Error: Erroneous cross–reference in § 12–6D–05(a)(2)(iii) of the Health Occupations Article.

Occurred: Chs. 564 and 565, Acts of 2014.

13–313.

(a) The Board may issue a temporary license to an applicant who, except for passing an examination otherwise required under this subtitle, has met the appropriate education and experience requirements of this subtitle for a physical therapist license or a physical therapy assistant license under [§ 10–305 of this article] **§ 13–302 OF THIS SUBTITLE**.

DRAFTER'S NOTE:

Error: Erroneous cross–reference in § 13–313(a) of the Health Occupations Article.

Occurred: Chs. 473 and 474, Acts of 2021.

14–5B–16.

1 (a) Subject to subsection [(c)] (B) of this section, on the application of an
2 individual whose license has been revoked, a disciplinary panel may reinstate a revoked
3 license.

4 DRAFTER'S NOTE:

5 Error: Erroneous internal reference in § 14–5B–16(a) of the Health Occupations
6 Article.

7 Occurred: As a result of Chs. 612 and 613, Acts of 2020.

8 14–5C–19.

9 (a) Subject to subsection [(c)] (B) of this section, on the application of an
10 individual whose license has been revoked, a disciplinary panel, on the affirmative vote of
11 a majority of its full authorized membership, may reinstate a revoked license.

12 DRAFTER'S NOTE:

13 Error: Erroneous internal reference in § 14–5C–19(a) of the Health Occupations
14 Article.

15 Occurred: As a result of Chs. 612 and 613, Acts of 2020.

16 14–5D–16.

17 (a) Subject to subsection [(c)] (B) of this section, on the application of an
18 individual whose license has been revoked, a disciplinary panel may reinstate a revoked
19 license.

20 DRAFTER'S NOTE:

21 Error: Erroneous internal reference in § 14–5D–16(a) of the Health Occupations
22 Article.

23 Occurred: As a result of Chs. 612 and 613, Acts of 2020.

24 15–103.

25 (d) A hospital, related institution, alternative health CARE system, or employer
26 that has reason to know that a physician assistant has committed an action or has a
27 condition that might be grounds for reprimand or probation of the physician assistant or
28 suspension or revocation of the license of the physician assistant under § 15–314 of this
29 title because the physician assistant is alcohol- or drug-impaired is not required to report
30 to the Board if:

(1) The hospital, related institution, alternative health CARE system, or employer knows that the physician assistant is:

(i) In an alcohol or drug treatment program that is accredited by the Joint Commission on the Accreditation of Healthcare Organizations or is certified by the Department; or

(ii) Under the care of a health care practitioner who is competent and capable of dealing with alcoholism and drug abuse;

(2) The hospital, related institution, alternative health CARE system, or employer is able to verify that the physician assistant remains in the treatment program until discharge; and

(3) The action or condition of the physician assistant has not caused injury to any person while the physician assistant is practicing as a licensed physician assistant.

(e) (1) If the physician assistant enters, or is considering entering, an alcohol or drug treatment program that is accredited by the Joint Commission on Accreditation of Healthcare Organizations or that is certified by the Department, the physician assistant shall notify the hospital, related institution, alternative health CARE system, or employer of the physician assistant's decision to enter the treatment program.

(2) If the physician assistant fails to provide the notice required under paragraph (1) of this subsection, and the hospital, related institution, alternative health CARE system, or employer learns that the physician assistant has entered a treatment program, the hospital, related institution, alternative health system, or employer shall report to the Board that the physician assistant has entered a treatment program and has failed to provide the required notice.

(3) If the physician assistant is found to be noncompliant with the treatment program's policies and procedures while in the treatment program, the treatment program shall notify the hospital, related institution, alternative health CARE system, or employer of the physician assistant's noncompliance.

(4) On receipt of the notification required under paragraph (3) of this subsection, the hospital, related institution, alternative health CARE system, or employer of the physician assistant shall report the physician assistant's noncompliance to the Board.

(g) The hospital, related institution, alternative health CARE system, or employer shall submit the report within 10 days of any action described in this section.

DRAFTER'S NOTE:

Error: Omitted word in § 15–103(d), (e), and (g) of the Health Occupations Article.

Occurred: Chs. 273 and 274, Acts of 2010.

Article – Human Services

5–5A–08.

(c) (1) The CMN Program shall facilitate assistance to critical medically vulnerable individuals and their households in obtaining State and federal financial assistance for their electric, gas, or other [source energy] **ENERGY SOURCE** bills through navigators.

DRAFTER’S NOTE:

Error: Incorrect word usage in § 5–5A–08(c)(1) of the Human Services Article.

Occurred: Chs. 282 and 283, Acts of 2019.

Article – Insurance

2–208.

(a) Subject to subsection (b) of this section, the expense incurred in an examination made under § 2–205 of this subtitle, § 2–206 of this subtitle for surplus lines brokers and insurance holding corporations, § 23–207 of this article for premium finance companies, § 15–10B–19 of this article for private review agents, § 15–10B–20 of this article, or § 14–610 of this article for discount medical plan organizations and discount drug plan organizations shall be paid by the person examined in the following manner:

(3) a person may not pay and an examiner may not accept any compensation for an examination in addition to the compensation under [paragraph (1) of this section] **ITEM (1) OF THIS SUBSECTION**.

DRAFTER’S NOTE:

Error: Stylistic error in § 2–208(a)(3) of the Insurance Article.

Occurred: Ch. 36, Acts of 1995, and as a result of Chs. 151 and 152, Acts of 2021.

Article – Labor and Employment

3–1708.

(a) If an essential worker believes that an essential employer has violated [§ 3–1604] **§ 3–1704** of this subtitle:

(1) the essential worker may seek enforcement of rights under § 5–604 of this article; and

(2) the Commissioner shall respond in accordance with the enforcement provisions under Title 5 of this article.

(b) (1) If an essential worker believes that an essential employer has violated [§ 3–1606] **§ 3–1706** of this subtitle, the essential worker may file a written complaint with the Commissioner.

DRAFTER’S NOTE:

Error: Erroneous cross–references in § 3–1708(a) and (b)(1) of the Labor and Employment Article.

Occurred: As a result of Chs. 671 and 672, Acts of 2021, and Ch. 736, Acts of 2021, which each added a new Subtitle 16 in Title 3 of the Labor and Employment Article.
8–311.2.

(c) (2) The report shall include:

(ii) the current balance of the Unemployment Insurance Fund; **AND**

DRAFTER’S NOTE:

Error: Omitted conjunction in § 8–311.2(c)(2)(ii) of the Labor and Employment Article.

Occurred: Chs. 50 and 51, Acts of 2021.

Article – Natural Resources

3–126.

(d) (1) (i) 5. B. If the accountants are unable to express an unqualified [opinion] **OPINION**, they shall state and explain in detail the reasons for their qualifications, disclaimer, or opinion including recommendations necessary to make possible future unqualified opinions.

DRAFTER’S NOTE:

Error: Omitted comma in § 3–126(d)(1)(i)5B of the Natural Resources Article.

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

Article – Public Safety

1 2–315.

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

3 (7) the Director of the Governor’s Office of Crime [Control and] Prevention,
4 **YOUTH, AND VICTIM SERVICES**, or the Director’s designee;

5 DRAFTER’S NOTE:

6 Error: Misnomer in § 2–315(c)(7) of the Public Safety Article.

7 Occurred: As a result of Ch. 11, Acts of 2020, which renamed the Governor’s Office
8 of Crime Control and Prevention to be the Governor’s Office of Crime Prevention, Youth,
9 and Victim Services.

10 3–522.

11 (b) (1) There is a Crisis Intervention Team Center of Excellence in the
12 Governor’s Office of Crime [Control and] Prevention, **YOUTH, AND VICTIM SERVICES**.

13 (3) The Governor’s Office of Crime [Control and] Prevention, **YOUTH, AND**
14 **VICTIM SERVICES** shall appoint the following individuals to oversee the Center:

15 (i) a crisis intervention law enforcement coordinator;

16 (ii) a mental health coordinator;

17 (iii) an advocacy coordinator; and

18 (iv) additional coordinators necessary as determined by the
19 Governor’s Office of Crime [Control and] Prevention, **YOUTH, AND VICTIM SERVICES**.

20 (c) (2) The Collaborative Committee shall include the following members:

21 (ii) the Executive Director of the Governor’s Office of Crime [Control
22 and] Prevention, **YOUTH, AND VICTIM SERVICES**, or the Executive Director’s designee;

23 (iv) the following individuals, appointed by the Executive Director of
24 the Governor’s Office of Crime [Control and] Prevention, **YOUTH, AND VICTIM**
25 **SERVICES**:

26 1. at least one representative of a local behavioral health
27 authority;

8. a representative from the Maryland Sheriffs' Association.

(ii) may be reappointed.

12-203.

A. is not registered with the county; or

B. is in violation of the inspection criteria established by the county.

DRAFTER'S NOTE:

Error: Tabulation error in § 12–203(f)(6)(iii)4 of the Public Safety Article.

Occurred: Chs. 759 and 760, Acts of 2021.

Article – Public Utilities

7–705.

(b–1) If an electricity supplier fails to comply with the renewable energy portfolio standard that is required to be derived from post–2022 geothermal systems for the applicable year, the electricity supplier shall pay into the Maryland Strategic Energy Investment Fund established under § 9–20B–05 of the State Government Article a compliance fee of **THE FOLLOWING AMOUNTS FOR EACH KILOWATT–HOUR OF SHORTFALL FROM REQUIRED POST–2022 GEOTHERMAL SYSTEMS:**

(1) 10 cents in 2023 through 2025;

(2) 9 cents in 2026;

(3) 8 cents in 2027; and

(4) 6.5 cents in 2028 and later.

DRAFTER'S NOTE:

Error: Omitted language in § 7–705(b–1) of the Public Utilities Article.

Occurred: Ch. 164, Acts of 2021. Correction suggested by the Attorney General in the Bill Review Letter for H.B. 1007 (Ch. 164) of 2021 (footnote 4), dated May 6, 2021.

12–101.

(e) “Contract locator” means a person contracted by an owner specifically to determine the approximate horizontal location of the owner’s underground facilities as specified in the ticket issued by the one–call [center] **SYSTEM.**

DRAFTER'S NOTE:

Error: Incorrect word usage in § 12–101(e) of the Public Utilities Article.

Occurred: Ch. 18, Acts of 2021.

1 12–107.

2 (b) The nine members shall be appointed as follows:

3 (4) one member from a list submitted to the Governor by the one–call
4 [centers] **SYSTEMS** operating in the State;

5 DRAFTER’S NOTE:

6 Error: Incorrect word usage in § 12–107(b)(4) of the Public Utilities Article.

7 Occurred: Ch. 635, § 3, Acts of 2010.

8 12–121.

9 (c) (1) The owner–member or its contract locator shall:

10 (i) respond to an emergency notice as soon as possible but not later
11 than 2 hours from the transmission of the ticket from the one–call [center] **SYSTEM**; and

12 (2) The person responsible for the excavation shall be on site or in
13 communication with the owner–member, their contract locator, or their representative
14 within 3 hours after the transmission of the ticket by the one–call [center] **SYSTEM**, or a
15 mutually agreed response time.

16 DRAFTER’S NOTE:

17 Error: Incorrect word usage in § 12–121(c)(1)(i) and (2) of the Public Utilities Article.

18 Occurred: Ch. 18, Acts of 2021.

19 12–122.

20 (c) (1) The operator of a one–call system shall install and make available an
21 underground facilities information exchange system in its one–call [center] **SYSTEM** in the
22 State.

23 DRAFTER’S NOTE:

24 Error: Incorrect word usage in § 12–122(c)(1) of the Public Utilities Article.

25 Occurred: Ch. 629, Acts of 2001.

26 12–125.

(b) If a person discovers that a mark is obliterated, destroyed, or removed, or observes a visible indication that an underground facility or structure is not marked as required under § 12–126 of this subtitle, the person shall notify the [call center] **ONE–CALL SYSTEM** to request that all or part of the current scope of work of a valid ticket be re–marked.

DRAFTER’S NOTE:

Error: Incorrect word usage in § 12–125(b) of the Public Utilities Article.

Occurred: Ch. 18, Acts of 2021.

12–131.

(d) In the case of an obstruction caused by a suspected cross–bore:

(1) the person intending to remove the obstruction shall notify the one–call [center] **SYSTEM** and request a nonexcavation ticket for a suspected cross–bore which will be transmitted to all pertinent owner–members in the geographic area indicated for that ticket; and

DRAFTER’S NOTE:

Error: Incorrect word usage in § 12–131(d)(1) of the Public Utilities Article.

Occurred: Ch. 18, Acts of 2021.

Article – Real Property

12–102.

In this title, property is deemed to be taken:

(1) If the plaintiff lawfully is authorized to take the property before trial pursuant to Article III of the [Constitution of the State] **MARYLAND CONSTITUTION**, or any amendment to it, and the required payment has been made to the defendant or into court, any required security has been given, and the plaintiff has taken possession of the property and actually and lawfully appropriated it to the public purposes of the plaintiff.

DRAFTER’S NOTE:

Error: Stylistic error in § 12–102(1) of the Real Property Article.

Occurred: Ch. 12, § 2, Acts of 1974.

12–106.

(c) In proceeding under Article III of the [Constitution of the State] **MARYLAND CONSTITUTION**, or any amendment to it, the plaintiff shall pay interest at the rate of 6 percent per annum on any difference between the amount of money initially paid into court for the use of the defendant and the jury award as stated in the inquisition, from the date the money was paid into court to the date of the inquisition or final judgment, whichever date is later.

DRAFTER'S NOTE:

Error: Stylistic error in § 12–106(c) of the Real Property Article.

Occurred: Ch. 12, § 2, Acts of 1974.

Article – State Finance and Procurement

2–209.

(c) (1) The Council consists of the following members:

(i) the Director of the Governor's Grants [Office] **OFFICE**, or the Director's designee;

(ii) the Chief Procurement [Officer] **OFFICER**, or the Chief Procurement Officer's designee;

(iii) the State [Treasurer] **TREASURER**, or the State Treasurer's designee;

(iv) the Attorney [General] **GENERAL**, or the Attorney General's designee;

(v) the Secretary of Budget and [Management] **MANAGEMENT**, or the Secretary's designee;

(vi) the Secretary of [Health] **HEALTH**, or the Secretary's designee;

(vii) the Secretary of Human [Services] **SERVICES**, or the Secretary's designee;

(viii) the Secretary of Housing and Community [Development] **DEVELOPMENT**, or the Secretary's designee;

(xiii) the Executive Director of the Governor's Office of Crime [Control and] Prevention, **YOUTH, AND VICTIM SERVICES**, or the Executive Director's designee;

DRAFTER'S NOTE:

Error: Omitted commas in § 2–209(c)(1)(i) through (viii) and (xiii) of the State Finance and Procurement Article. Misnomer in § 2–209(c)(1)(xiii) of the State Finance and Procurement Article.

Occurred: Chs. 484 and 485, Acts of 2020, and as a result of Ch. 11, Acts of 2020, which renamed the Governor’s Office of Crime Control and Prevention to be the Governor’s Office of Crime Prevention, Youth, and Victim Services.

13–102.1.

(c) (4) The Fund consists of any fees imposed and collected under paragraph (b)(1) of this [subsection] **SECTION** and § 13–226(c) of this title.

DRAFTER’S NOTE:

Error: Erroneous internal reference in § 13–102.1(c)(4) of the State Finance and Procurement Article.

Occurred: Ch. 590, Acts of 2017.

Article – State Government

2–1247.

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

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

(iv) evaluate each proposal of a unit of the State government for an appropriation, including any [proposal,] **PROPOSAL** that:

1. is in the proposed State budget;
2. is considered with the proposed State budget; or
3. involves State financing of a capital improvement; and

DRAFTER’S NOTE:

Error: Extraneous comma in § 2–1247(a)(6)(iv) of the State Government Article.

Occurred: Ch. 598, Acts of 1992.

9–1A–24.

(b) (4) A video lottery operation licensee may provide food at no cost to individuals to the same extent allowed under [§ 5–303] **§ 6–310** of the Alcoholic Beverages Article for a person engaged in the sale or barter of spirituous, malt, or intoxicating liquors and licensed under the laws of Maryland.

DRAFTER'S NOTE:

Error: Erroneous cross-reference in § 9–1A–24(b)(4) of the State Government Article.

Occurred: Ch. 228, Acts of 2016.

9–1A–36.

(g) The Video Lottery Facility Location Commission may not award more than one video lottery [facility] operation license in a single county or Baltimore City.

DRAFTER'S NOTE:

Error: Extraneous word in § 9–1A–36(g) of the State Government Article.

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

9–914.3.

(a) All money received by the Trust shall be deposited, as directed by the Trust, in any state or national bank, or federally or [state insured] **STATE–INSURED** savings and loan associations located in the State having a total paid-in capital of at least \$1,000,000. The trust department of any state or national bank or savings and loan association may be designated as a depository to receive any securities acquired or owned by the Trust. The restriction with respect to paid-in capital may be waived for any qualifying bank or savings and loan association that agrees to pledge securities of the state or of the United States to protect the funds and securities of the Trust in amounts and under arrangements acceptable to the Trust.

(b) (1) Except as provided in paragraph (2) of this subsection, any money of the Trust, in its discretion and unless otherwise provided in any agreement or covenant between the Trust and the holders of any of its obligations limiting or restricting classes of investments, may be invested in bonds or other obligations of the United States, the State, the political subdivisions or units of the State, direct or indirect federal agencies, corporate bonds with a rating of BAA3/BBB, or [mortgage backed and asset backed] **MORTGAGE–BACKED AND ASSET–BACKED** securities with a rating of AAA.

DRAFTER'S NOTE:

Error: Omitted hyphens in § 9–914.3(a) and (b)(1) of the State Government Article.

1 Occurred: Ch. 681, Acts of 2013.

2 9–940.

3 (c) The purpose of the Program is to ensure that:

4 (2) general issues relating to [veterans] **VETERANS'** needs are brought to
5 the attention of the Governor and the General Assembly in order for them to be addressed.

6 DRAFTER'S NOTE:

7 Error: Omitted apostrophe in § 9–940(c)(2) of the State Government Article.

8 Occurred: Ch. 290, Acts of 2006.

9 9–1005.

10 (a) (2) The **STATE** Archivist shall:

11 (i) be knowledgeable in subjects relevant to archival activities; and

12 (ii) possess experience in archival or related fields.

13 DRAFTER'S NOTE:

14 Error: Omitted word in § 9–1005(a)(2) of the State Government Article.

15 Occurred: Ch. 286, § 5, Acts of 1984.

16 9–1007.

17 (a) In addition to any powers set forth elsewhere, the State Archivist may:

18 (1) adopt regulations to:

19 (iv) define the categories of records in the report of the Records
20 Management Division under [§ 10–634] **§ 10–611** of this article;

21 (3) on request, or at the State Archivist's discretion, review, evaluate, and
22 make recommendations to the General Assembly regarding State designations under [Title
23 13 of this article] **TITLE 7 OF THE GENERAL PROVISIONS ARTICLE**.

24 (b) At the request of the President of the Senate, the Speaker of the House, the
25 Chair of the Senate Education, Health, and Environmental Affairs Committee, or the Chair
26 of the House Health and Government Operations Committee, the State Archivist shall
27 review, evaluate, and make recommendations to the General Assembly regarding State

designations under [Title 13 of this article] **TITLE 7 OF THE GENERAL PROVISIONS**
ARTICLE.

DRAFTER'S NOTE:

Error: Obsolete cross-references in § 9–1007(a)(1)(iv) and (3) and (b) of the State Government Article.

Occurred: As a result of Ch. 104, Acts of 2014, and Ch. 94, § 2, Acts of 2014.
20–1036.

(c) (1) In a civil action under subsection (a) of this section, the court may:

(i) award preventive relief, including a permanent or temporary injunction, restraining order, or other order against the person responsible for a violation of Subtitle 7 of this title as necessary to [assure] **ENSURE** the full enjoyment of the rights granted by Subtitle 7 of this title;

DRAFTER'S NOTE:

Error: Incorrect word usage in § 20–1036(c)(1)(i) of the State Government Article.

Occurred: Ch. 120, § 2, Acts of 2009.

Article – Transportation

25–113.

(f) (2) (iv) When the Maryland Statistical Analysis Center updates a filterable data display under this section, the Governor's Office of Crime [Control and] Prevention, **YOUTH, AND VICTIM SERVICES** shall provide electronic and written notice of the update to the General Assembly in accordance with § 2–1257 of the State Government Article.

DRAFTER'S NOTE:

Error: Misnomer in § 25–113(f)(2)(iv) of the Transportation Article.

Occurred: As a result of Ch. 11, Acts of 2020, which renamed the Governor's Office of Crime Control and Prevention to be the Governor's Office of Crime Prevention, Youth, and Victim Services.

Chapter 645 of the Acts of 2021

SECTION 8. AND BE IT FURTHER ENACTED, That:

(a) Subject to subsection (b) of this section, Section [1] 2 of this Act shall be construed to apply retroactively and shall be applied to and interpreted to affect any qualified conservation completed, and any resulting afforestation or reforestation credits given, to the extent they were approved in good faith under a State or local program as a forest mitigation bank before the effective date of this Act.

(b) Nothing in this section requires a State or local program to reevaluate or alter any of its final determinations related to the granting or denial of afforestation or reforestation credits for qualified conservation made before the effective date of this Act.

DRAFTER'S NOTE:

Error: Erroneous internal reference in Ch. 645, § 8(a), Acts of 2021.

Occurred: Ch. 645, § 8, Acts of 2021.

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

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

SECTION 4. AND BE IT FURTHER ENACTED, That the publishers of the Annotated Code of Maryland, subject to the approval of the Department of Legislative Services, shall make any changes in the text of the Annotated Code necessary to effectuate any termination provision that was enacted by the General Assembly and has taken effect or will take effect prior to October 1, 2022. Any enactment of the 2022 Session of the General Assembly that negates or extends the effect of a previously enacted termination provision shall prevail over the provisions of this section.

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

SECTION 6. AND BE IT FURTHER ENACTED, That the publishers of the Annotated Code of Maryland, in consultation with and subject to the approval of the Department of Legislative Services, shall correct all obsolete references to the Veterans Administration rendered incorrect as described in the Drafter's Note for § 4A-1009(a)(8) of the Corporations and Associations Article, as enacted by this Act.

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.