

SENATE BILL 667

P5

EMERGENCY BILL

3lr0621

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

Introduced and read first time: February 6, 2023

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Annual Corrective Bill**

3 FOR the purpose of correcting certain errors or omissions in certain articles of the
4 Annotated Code; 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 renumbering

10 Article – Health Occupations
11 Section 4–315(b)
12 to be Section 4–315(c)
13 Annotated Code of Maryland
14 (2021 Replacement Volume and 2022 Supplement)

15 BY repealing and reenacting, with amendments,

16 Article – Alcoholic Beverages
17 Section 12–1604(c)(2)(iii) and (iv), 20–202(g)(5), and 26–1601(a)(1)(xvi)
18 Annotated Code of Maryland
19 (2016 Volume and 2022 Supplement)

20 BY repealing and reenacting, with amendments,

21 Article – Business Regulation
22 Section 11–825(b)(2)(ii)1.
23 Annotated Code of Maryland
24 (2015 Replacement Volume and 2022 Supplement)

25 BY repealing and reenacting, with amendments,

26 Article – Corporations and Associations
27 Section 2–503(c), 2–701(e) and (g), and 11–401(b)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Annotated Code of Maryland
(2014 Replacement Volume and 2022 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–8A–27(a)(2)(iv)3.
Annotated Code of Maryland
(2020 Replacement Volume and 2022 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 4–202(b)(2), (c)(1), and (i)(1), 4–202.2(a)(1), 10–215(a)(20), 10–216(d)(1), and
17–102(i)(2)
Annotated Code of Maryland
(2018 Replacement Volume and 2022 Supplement)

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 10–601(m) and (dd)
Annotated Code of Maryland
(2018 Replacement Volume and 2022 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 4–115(c)(1)(ii) and (iii), 4–126(e)(3)(ii)3.B., 4–319(g), 5–223(a)(7), 5–243(g),
5–303(d)(2)(xiv), 5–322(j)(2)(i), 5–411(i)(1)(i), 6–303(b)(1)(i)2., 6–1002(b)(2)(v)
and (vi) and (i), 6–1007(a)(2)(ii), 7–304.1(a), 7–401(b) and (c)(4), 7–402(a),
7–404(f), 7–447.1(m)(1)(i), 7–602(b)(2), 7–1702(b)(2) and (c)(1)(i), 7–1703(c)(3),
9.5–903(b), 9.5–904(c), 9.5–905(c)(2), 11–203(e)(1), 11–601(d)(3)(vi),
12–106(c)(5)(i), 13–309, 13–517(a)(4) and (10), 13–703(a), 15–106.2(a),
15–106.9(a), 15–112(a)(3)(i), 15–129(c), (f)(1), (g), and (j), 16–505(e)(2),
16–505.2, 18–303.1(g)(2)(ii), 21–309(a)(5)(ii)1., 23–108(a), and 26–103(a)(2)
Annotated Code of Maryland
(2022 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Environment
Section 6–801(q)(2)
Annotated Code of Maryland
(2013 Replacement Volume and 2022 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–1601(hh)(1) and (ii)(2)
Annotated Code of Maryland
(2014 Replacement Volume and 2022 Supplement)

- 1 BY repealing and reenacting, with amendments,
2 Article – Family Law
3 Section 5–710(c)
4 Annotated Code of Maryland
5 (2019 Replacement Volume and 2022 Supplement)
- 6 BY repealing and reenacting, with amendments,
7 Article – Health – General
8 Section 2–104(j), 4–211(k)(1)(ii)1. and (3), 4–306(b)(6)(i)3., 5–615(b)(4)(iv),
9 13–4704(b)(5) and (c)(1), 19–145(a)(4), (b), (d), (e)(2), (4), and (5), (f), (g), and
10 (i)(1) and (2), 19–214.1(f)(2)(i), 21–2C–03(e)(1)(iii)1., 24–307(c)(2),
11 24–508(a)(3), and 24–1702(d)
12 Annotated Code of Maryland
13 (2019 Replacement Volume and 2022 Supplement)
- 14 BY repealing and reenacting, with amendments,
15 Article – Health Occupations
16 Section 4–301.1(b)(2), 4–307.1(b)(3) and (c), 4–309.1(b), 4–315(a)(27) and (37),
17 8–6A–08(k), 9–202(a)(1), 9–3A–12(b)(1), 9–3A–14(a), and 17–512(a)
18 Annotated Code of Maryland
19 (2021 Replacement Volume and 2022 Supplement)
- 20 BY adding to
21 Article – Health Occupations
22 Section 4–315(b)
23 Annotated Code of Maryland
24 (2021 Replacement Volume and 2022 Supplement)
- 25 BY repealing and reenacting, with amendments,
26 Article – Human Services
27 Section 5–322(b)(3) and 5–323(f)
28 Annotated Code of Maryland
29 (2019 Replacement Volume and 2022 Supplement)
- 30 BY repealing and reenacting, with amendments,
31 Article – Insurance
32 Section 27–216(d)(7)(i)
33 Annotated Code of Maryland
34 (2017 Replacement Volume and 2022 Supplement)
- 35 BY repealing and reenacting, with amendments,
36 Article – Natural Resources
37 Section 3–103(h)(1)(i)1., 4–714(a), (b)(2), and (c)(2), 5–903(a)(2)(iv), 5–906(e)(5)
38 through (8), and 5–1012(h)
39 Annotated Code of Maryland
40 (2018 Replacement Volume and 2022 Supplement)

1 BY repealing and reenacting, with amendments,
2 Article – Natural Resources
3 Section 8–1804(a)(1)(iii) and 10–906(b)(3)(i)
4 Annotated Code of Maryland
5 (2012 Replacement Volume and 2022 Supplement)

6 BY repealing and reenacting, with amendments,
7 Article – Public Safety
8 Section 3–501(a), 3–509(b)(2), 3–522(c)(2)(i), 5–133.3(b) and (d)(1), 5–206(c),
9 5–703(c)(1) and (2), 7–209(c)(2)(ii) and (v), 8–102(f)(1)(iv) and (v), 9–702(c)(3),
10 12–508(d), 12–612(a)(3), 12–814.2(k), 13–401(b), 13A–101(d)(1), (f)(1), (h)(1),
11 (i)(1), (k)(1)(ii) and (2), and (q), 13A–103(b), 13A–105(a), 13A–106(a)(5), (d)(1),
12 and (e), 13A–205(b), 13A–301(a)(2), (b)(6), (c)(4), (d)(2)(ii), and (f)(1) and (3),
13 13A–405(c)(1), 13A–506(b)(2) and (c), 13A–604(h)(3) and (i)(3), 13A–701(a),
14 13A–709(c)(2), 13A–711(b)(1) and (4) and (d)(3), 13A–712(3), 13A–805(b),
15 13A–902(e)(2)(ii)2., 13A–905(b), 13A–909(a), 13A–916(a)(1), (2)(i), and (3)(i)
16 and (ii)2., (b)(4) and (5), (c), and (d), 13A–1009(a), 13A–1014(5), 13A–1018(2),
17 13A–1021(a)(3), 13A–1042(c)(3), 13A–1057(a)(2), 13A–1101(a),
18 13A–1103(a)(2) and (b), 13A–1104(a), 13A–1105(a)(2), 13A–1107(a),
19 14–8A–02, 14–8A–03, 14–1101, 14–1102(b)(3) and (10), (c), (d)(1)(i), (g)(1)(i),
20 and (i), and 14–1103(a)(2)(i)5.B.
21 Annotated Code of Maryland
22 (2022 Replacement Volume)

23 BY repealing and reenacting, with amendments,
24 Article – Public Utilities
25 Section 12–124(c)(2) and 29–101.1(d)(1)
26 Annotated Code of Maryland
27 (2020 Replacement Volume and 2022 Supplement)

28 BY repealing and reenacting, with amendments,
29 Article – Real Property
30 Section 8–211(k), 8–401(b)(6) and (7)(i), (e)(2)(ii) and (iii)1., (f)(1)(ii), and (g)(3), and
31 8A–1701(e)(3)
32 Annotated Code of Maryland
33 (2015 Replacement Volume and 2022 Supplement)

34 BY repealing and reenacting, with amendments,
35 Article – State Finance and Procurement
36 Section 3.5–303(a)(6), 5A–303(d)(2)(ii), 11–203(a)(1)(x), 14–502(b), and
37 16–203(d)(3)(ii)
38 Annotated Code of Maryland
39 (2021 Replacement Volume and 2022 Supplement)

40 BY repealing and reenacting, with amendments,
41 Article – State Government
42 Section 9–1A–26(b)(2), 9–901(e), and 18–214(n)(3)

Annotated Code of Maryland
(2021 Replacement Volume and 2022 Supplement)

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 3–501(b), 7–207(d)(1), 29–115(a)(2)(ii), and 29–116(a)(1)(ii)
Annotated Code of Maryland
(2015 Replacement Volume and 2022 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 7.5–201(a), 8–204(b)(5)(i), 8–417(a)(1), 10–204(c)(2)(ii), 10–208(s),
10–733(a)(2), 10–752(c)(5)(ii), and 10–912(a)(6)(i)2.
Annotated Code of Maryland
(2022 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 7–208(a)(3)(i)2. and (6)(iii) and 14–880(a)(1)
Annotated Code of Maryland
(2019 Replacement Volume and 2022 Supplement)

BY repealing and reenacting, with amendments,
Chapter 75 of the Acts of the General Assembly of 2021
Section 2

BY repealing and reenacting, with amendments,
Chapter 150 of the Acts of the General Assembly of 2022
Section 2

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That Section(s) 4–315(b) of Article – Health Occupations of the Annotated Code of
Maryland be renumbered to be Section(s) 4–315(c).

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

Article – Alcoholic Beverages

12–1604.

(c) (2) The Board may issue a Class B beer, wine, and liquor license:

(iii) for not more than three restaurants in a residential planned unit
development for Silo Point as approved by the Mayor and City Council of Baltimore City in
Ordinance 04–697 on June 23, 2004, if each restaurant has:

1. a minimum capital investment of \$700,000;

2. seating for more than 75 individuals;

3. average daily receipts from the sale of food that are at least 65% of the total daily receipts of the restaurant; and

4. except as provided in paragraph [(5)] (6) of this subsection, no sales for off-premises consumption;

(iv) for not more than three restaurants in a business planned unit development in ward 24, precinct 5, if each restaurant:

1. has a minimum capital investment of \$700,000;

2. has seating for more than 75 individuals, but not more than 150 individuals;

3. has average daily receipts from the sale of food that are at least 51% of the total daily receipts of the restaurant; and

4. except as provided in paragraph [(5)] (6) of this subsection, may not sell for off-premises consumption;

DRAFTER'S NOTE:

Error: Erroneous cross-reference in § 12-1604(c)(2)(iii) and (iv) of the Alcoholic Beverages Article.

Occurred: Chs. 676 and 677, Acts of 2019.

20-202.

(g) (5) [No] NOT later than 48 hours after opening a campaign account through a campaign finance entity, a member who has established an authorized candidate campaign committee shall vacate the member's position on the Board in accordance with § 5-866 of the General Provisions Article.

DRAFTER'S NOTE:

Error: Grammatical error in § 20-202(g)(5) of the Alcoholic Beverages Article.

Occurred: Chs. 272 and 273, Acts of 2018.

26-1601.

(a) (1) Except as otherwise provided in this title, the number of licenses in a

class issued by the Board may not exceed:

(xvi) Class B–DD beer, wine, and liquor:

1. under § 26–1614(a)(1) of this subtitle, 4;
2. under § 26–1614(a)(2) of this subtitle, 4;
3. under § 26–1614(a)(3) of this subtitle, 6;
4. under § 26–1614(a)(4) of this subtitle, 6;
5. under § 26–1614(a)(5) of this subtitle, 4;
6. under § 26–1614(a)(6) of this subtitle, 10; [and]
7. under § 26–1614(a)(7) of this subtitle, 3;
8. **UNDER § 26–1614(A)(8) OF THIS SUBTITLE, 5;**
9. **UNDER § 26–1614(A)(9) OF THIS SUBTITLE, 2;**
10. **UNDER § 26–1614(A)(10) OF THIS SUBTITLE, 1;**
11. **UNDER § 26–1614(A)(11) OF THIS SUBTITLE, 1;**
12. **UNDER § 26–1614(A)(12) OF THIS SUBTITLE, 1;**
13. **UNDER § 26–1614(A)(13) OF THIS SUBTITLE, 1; AND**
14. **UNDER § 26–1614(A)(14) OF THIS SUBTITLE, 10;**

DRAFTER’S NOTE:

Error: Omitted internal references in § 26–1601(a)(1)(xvi) of the Alcoholic Beverages Article.

Occurred: Chs. 307 and 730, Acts of 2016 and Ch. 340, Acts of 2020.

Article – Business Regulation

11–825.

(b) (2) (ii) Subject to the approval of the Commission and the State Lottery and Gaming Control Commission:

1 1. a self-service kiosk at a satellite simulcast facility that is
2 located in a sports wagering facility may accept both satellite simulcast bets and sports
3 wagers, provided that the kiosk separately accounts for the different types of wagers and
4 meets all specifications and requirements established by regulation by the State Lottery
5 AND Gaming Control Commission; and

6 DRAFTER'S NOTE:

7 Error: Omitted word in § 11-825(b)(2)(ii)1 of the Business Regulation Article.

8 Occurred: Ch. 256, Acts of 2022.

9 **Article – Corporations and Associations**

10 2-503.

11 (c) If authorized by the board of directors and subject to any guidelines and
12 procedures that the board adopts, stockholders and proxy holders not physically present at
13 the meeting of the [stockholders,] **STOCKHOLDERS** may, by remote communication:

14 (1) Participate in the meeting of the stockholders; and

15 (2) Be considered present in person and may vote at the meeting of the
16 stockholders, whether the meeting is held at a designated place or solely by remote
17 communication, if:

18 (i) The corporation implements reasonable measures to verify that
19 each person considered present and authorized to vote at the meeting by remote
20 communication is a stockholder or proxy holder;

21 (ii) The corporation implements reasonable measures to provide the
22 stockholders and proxy holders a reasonable opportunity to participate in the meeting and
23 to vote on matters submitted to the stockholders, including an opportunity to read or hear
24 the proceedings of the meeting substantially concurrently with the proceedings; and

25 (iii) In the event any stockholder or proxy holder votes or takes other
26 action at the meeting by remote communication, a record of the vote or other action is
27 maintained by the corporation.

28 DRAFTER'S NOTE:

29 Error: Incorrect punctuation in § 2-503(c) of the Corporations and Associations
30 Article.

31 Occurred: Chs. 292 and 293, Acts of 2022.

32 2-701.

(e) “Failure of authorization” means the failure of a corporation to authorize, approve, or otherwise effect a corporate act in compliance with the Maryland General Corporation Law, its [charters] **CHARTER** or bylaws, any action taken by its board of directors, a committee of its board of directors, or its stockholders, or any plan or agreement to which the corporation is a party, if and to the extent that the failure would render the corporate act void or voidable.

(g) “Putative stock” means stock, including stock [reissued] **ISSUED** upon exercise of rights, options, warrants, or other securities convertible into or exercisable for stock:

(1) Purportedly created or issued as a result of a defective corporate act, that but for the failure of authorization would constitute valid stock; and

(2) That cannot be determined by the board of directors to be valid stock.

DRAFTER’S NOTE:

Error: Incorrect word usage in § 2–701(e) and (g) of the Corporations and Associations Article.

Occurred: Chs. 289 and 290, Acts of 2022.

11–401.

(b) A person may not transact business in this State as an investment adviser or as an investment adviser representative unless:

(1) The person is registered as an investment adviser or an investment adviser representative under this subtitle; [or]

(2) The person’s only clients in this State are investment companies as defined in the Investment Company Act of 1940, or insurance companies; or

(3) The person has no place of business in this [State; and] **STATE, AND:**

(i) The person’s only clients in this State are investment companies as defined in the Investment Company Act of 1940, other investment advisers, federal covered advisers, broker–dealers, banks, trust companies, savings and loan associations, insurance companies, employee benefit plans with assets of not less than \$1,000,000, and governmental agencies or instrumentalities, whether acting for themselves or as trustees or fiduciaries with investment control, or other institutional investors as are designated by rule or order of the Commissioner; or

(ii) During the preceding 12–month period, the person has had no more than five clients who:

1. Are residents of the State; and

2. Are not the types of clients described in item (i) of this paragraph.

DRAFTER'S NOTE:

Error: Extraneous conjunction and incorrect punctuation in § 11–401(b) of the Corporations and Associations Article.

Occurred: Ch. 805, Acts of 1989.

Article – Courts and Judicial Proceedings

3–8A–27.

(a) (2) This subsection does not prohibit:

(iv) A law enforcement agency of the State or of a political subdivision of the State, when necessary and for the sole purposes of facilitating apprehension of a child and ensuring public safety, from releasing to the public photographs and identifying information of a child who:

3. The court does not have jurisdiction over pursuant to [§ 3–8A–03(e)(1), (4), or (5)] **§ 3–8A–03(D)(1), (4), OR (5)** of this subtitle and who is subject to:

A. Arrest; or

B. An arrest warrant issued by a criminal court.

DRAFTER'S NOTE:

Error: Erroneous cross-reference in § 3–8A–27(a)(2)(iv)3 of the Courts Article.

Occurred: Chs. 41 and 42, Acts of 2022.

Article – Criminal Procedure

4–202.

(b) Except as provided in subsection (c) of this section, a court exercising criminal jurisdiction in a case involving a child may transfer the case to the juvenile court before trial or before a plea is entered under Maryland Rule 4–242 if:

(2) the alleged crime is excluded from the jurisdiction of the juvenile court

1 under [§ 3–8A–03(e)(1), (4), or (5)] **§ 3–8A–03(D)(1), (4), OR (5)** of the Courts Article; and

2 (c) The court may not transfer a case to the juvenile court under subsection (b) of
3 this section if:

4 (1) the child was convicted in an unrelated case excluded from the
5 jurisdiction of the juvenile court under [§ 3–8A–03(e)(1) or (4)] **§ 3–8A–03(D)(1) OR (4)** of
6 the Courts Article; or

7 (i) (1) The provisions of § 3–8A–27 of the Courts Article relating to
8 confidentiality of records apply to all police records and court records concerning the child
9 excluded from the jurisdiction of the juvenile court under [§ 3–8A–03(e)(1), (4), or (5)] **§**
10 **3–8A–03(D)(1), (4), OR (5)** of the Courts Article from the time of the child’s arrest until:

11 (i) the time for filing of a motion to transfer to juvenile court under
12 the Maryland Rules has expired and no such motion has been filed; or

13 (ii) a motion to transfer to juvenile court has been denied.

14 DRAFTER’S NOTE:

15 Error: Erroneous cross–references in § 4–202(b)(2), (c)(1), and (i)(1) of the Criminal
16 Procedure Article.

17 Occurred: Chs. 41 and 42, Acts of 2022.

18 4–202.2.

19 (a) At sentencing, a court exercising criminal jurisdiction in a case involving a
20 child shall determine whether to transfer jurisdiction to the juvenile court if:

21 (1) as a result of trial or a plea entered under Maryland Rule 4–242, all
22 charges that excluded jurisdiction from the juvenile court under [§ 3–8A–03(e)(1) or (4)] **§**
23 **3–8A–03(D)(1) OR (4)** of the Courts Article do not result in a finding of guilty; and

24 DRAFTER’S NOTE:

25 Error: Erroneous cross–reference in § 4–202.2(a)(1) of the Criminal Procedure
26 Article.

27 Occurred: Chs. 41 and 42, Acts of 2022.

28 10–215.

29 (a) The following events are reportable events under this subtitle that must be
30 reported to the Central Repository in accordance with § 10–214 of this subtitle:

(20) an adjudication of a child as delinquent:

(i) if the child is at least 14 years old, for an act described in [§ 3–8A–03(e)(1)] **§ 3–8A–03(D)(1)** of the Courts Article; or

(ii) if the child is at least 16 years old, for an act described in [§ 3–8A–03(e)(4) or (5)] **§ 3–8A–03(D)(4) OR (5)** of the Courts Article;

DRAFTER’S NOTE:

Error: Erroneous cross–references in § 10–215(a)(20) of the Criminal Procedure Article.

Occurred: Chs. 41 and 42, Acts of 2022.

10–216.

(d) (1) This subsection only applies to an adjudication of delinquency of a child:

(i) for an act described in [§ 3–8A–03(e)(1)] **§ 3–8A–03(D)(1)** of the Courts Article if the child is at least 14 years old; or

(ii) for an act described in [§ 3–8A–03(e)(4) or (5)] **§ 3–8A–03(D)(4) OR (5)** of the Courts Article if the child is at least 16 years old.

DRAFTER’S NOTE:

Error: Erroneous cross–references in § 10–216(d)(1) of the Criminal Procedure Article.

Occurred: Chs. 41 and 42, Acts of 2022.

17–102.

(i) (2) A person who violates this subsection is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 5 years or a fine not exceeding [\$5,000,] **\$5,000** or both.

DRAFTER’S NOTE:

Error: Extraneous comma in § 17–102(i)(2) of the Criminal Procedure Article.

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

1 10–601.

2 (m) “Bond” includes a note, an interim certificate, A refunding bond, and any other
3 evidence of obligation issued under this subtitle.

4 (dd) “Laurel Park site” means the site in Anne Arundel County generally bounded
5 by State Route 198, Whiskey Bottom Road, Brock [Ridge] **BRIDGE** Road, and the CSX
6 Railway.

7 DRAFTER’S NOTE:

8 Error: Grammatical error in § 10–601(m) of the Economic Development Article and
9 misspelling in § 10–601(dd) of the Economic Development Article.

10 Occurred: Ch. 647, Acts of 2013; Ch. 590, Acts of 2020.

11 **Article – Education**

12 4–115.

13 (c) (1) (ii) When the county commissioners or county council [receive]
14 **RECEIVES** notice under subparagraph (i) of this paragraph, the county commissioners or
15 county council shall notify the county board within 30 days after receiving the notice from
16 the county board:

17 1. Of the need to transfer the land, school site, or building to
18 the county commissioners or county council if the land, school site, or building is an integral
19 component of an existing economic development plan that will, in the judgment of the
20 county commissioners or county council, significantly benefit the county; or

21 2. That the county commissioners or county council [have]
22 **HAS** no existing plans for the use of the land, school site, or building.

23 (iii) 1. If the county commissioners or county council [provide]
24 **PROVIDES** the required notice to the county board under subparagraph (ii)1 of this
25 paragraph or a public charter school does not need the school site or building under §
26 9–111 of this article, the land, school site, or building shall be transferred by the county
27 board to the county commissioners or county council and may be used, sold, leased, or
28 otherwise disposed of, except by gift, by the county commissioners or county council.

29 2. If the county commissioners or county council [provide]
30 **PROVIDES** the required notice to the county board under subparagraph (ii)2 of this
31 paragraph, the county board shall comply with the provisions of § 9–111 of this article.

32 DRAFTER’S NOTE:

Error: Grammatical errors in § 4–115(c)(1)(ii) and (iii) of the Education Article.

Occurred: Ch. 502, Acts of 2011.

4–126.

(e) (3) (ii) In Prince George’s County, projects that use alternative financing methods under this section and receive State funding for a yearly availability payment:

3. If the project receives State funding for a yearly availability payment from the Supplemental Public School Construction Financing Fund under § 10–658 of the Economic Development Article, the project shall comply with a four-party memorandum of understanding entered into and signed by the Prince George’s County Board, Prince George’s County, the Maryland Stadium Authority, and the Interagency Commission on School Construction that:

B. Specifies that [§ 2–203(f)] **§ 2–303(F)** and Title 5, Subtitle 3 of this article and regulations governing the Public School Construction Program are not applicable to projects using alternative financing methods;

DRAFTER’S NOTE:

Error: Erroneous cross-reference in § 4–126(e)(3)(ii)3B of the Education Article.

Occurred: Ch. 387, Acts of 2019.

4–319.

(g) The Chief Executive Officer shall report annually to the members of the Baltimore City Delegation [in] **TO** the General Assembly on the progress of the students in the Center.

DRAFTER’S NOTE:

Error: Incorrect terminology in § 4–319(g) of the Education Article.

Occurred: Ch. 632, Acts of 1995.

5–223.

(a) (7) “Needs assessment” means the assessment completed under [§ 9.5–104] **§ 9.9–104** of this article.

DRAFTER’S NOTE:

Error: Erroneous cross-reference in § 5–223(a)(7) of the Education Article.

Occurred: Ch. 36, Acts of 2021.

5–243.

(g) The Fund shall be used to expand the arts curriculum for students in public schools in Baltimore City[, as defined in § 5–223 of this subtitle,] with grants to:

(1) Purchase art supplies for classrooms; and

(2) Provide arts experiences.

DRAFTER’S NOTE:

Error: Extraneous cross-reference in § 5–243(g) of the Education Article.

Occurred: Ch. 15, Acts of 2022. Correction suggested by the Attorney General in the Bill Review Letter for H.B. 1469 (Ch. 15) of 2022 (footnote 3), dated April 1, 2022.

5–303.

(d) (2) The regulations adopted by the Interagency Commission may contain requirements for:

(xiv) The use of a standard statewide computerized maintenance management system for [a] school facilities maintenance work order tracking and reporting.

DRAFTER’S NOTE:

Error: Extraneous language in § 5–303(d)(2)(xiv) of the Education Article.

Occurred: Ch. 20, Acts of 2020.

5–322.

(j) (2) (i) Subject to [subparagraphs (ii) and (iii)] **SUBPARAGRAPH (II)** of this paragraph, the Interagency Commission on School Construction shall give priority in awarding grants to schools based on the severity of issues in the school, including:

1. Air conditioning;

2. Heating;

3. Indoor air quality;

4. Mold remediation;

5. Temperature regulation;

6. Plumbing, including pipe insulation to reduce condensation in order to prevent mold and the presence of lead in drinking water outlets in school buildings;

7. Windows;

8. Roofs; and

9. Any additional severe issue in the school that required the school to be closed.

DRAFTER'S NOTE:

Error: Obsolete cross-reference in § 5–322(j)(2)(i) of the Education Article.

Occurred: Ch. 698, Acts of 2021.

5–411.

(i) (1) (i) Beginning on July 1, 2025, the report and recommendations of an Expert Review Team shall be used by the Department as the basis for a recommendation to the Board under § 5–405 of this subtitle as to whether to release a portion of the annual increase in funding for the upcoming school year because the school and the local school system have developed a satisfactory plan for the use of the funds consistent with **THE** Expert Review Team's recommendations.

DRAFTER'S NOTE:

Error: Omitted word in § 5–411(i)(1)(i) of the Education Article.

Occurred: Ch. 36, Acts of 2021.

6–303.

(b) (1) The Advisory Committee shall consist of:

(i) Five employee educators whose positions are included in the Institutional Educator Pay Plan established under § 6–302 of this subtitle from each of the following units:

2. The Division of [Rehabilitative] **REHABILITATION** Services in the Department of Education;

DRAFTER'S NOTE:

Error: Incorrect terminology in § 6–303(b)(1)(i)2 of the Education Article.

Occurred: Ch. 66, Acts of 1998.

6–1002.

(b) (2) The purpose of the career ladder is to:

(v) Support the [re–organization] **REORGANIZATION** of schools to provide teachers with professional learning and peer collaboration time during the school day by having more teachers in each school, including time primarily:

1. To work in teams of teachers by subject and grade;
2. To work together with other teachers to continuously improve instruction;
3. To review together with other teachers individual student needs, including needs related to behavioral issues, and develop plans to address those needs; and
4. For professional learning for teachers pursuing NBC;

(vi) Develop and support highly competent school leaders that are able to lead [high performing] **HIGH–PERFORMING** schools due to their:

1. Knowledge of teaching and learning;
2. Experience as teachers, leaders, and mentors of teachers;
- and
3. Knowledge of and experience with organizing schools so that all students are successful in the global economy; and

(i) The percentage of teachers who are [professor distinguished teachers] **PROFESSOR DISTINGUISHED TEACHERS** or [distinguished principals] **DISTINGUISHED PRINCIPALS** may not be more than 1% of the total number of all teachers.

DRAFTER'S NOTE:

Error: Stylistic errors in § 6–1002(b)(2)(v) and (vi) and (i) of the Education Article.

Occurred: Ch. 36, Acts of 2021.

6–1007.

(a) (2) A teacher may not be promoted to the next level or tier on the career ladder unless:

(ii) The teacher[, principal or] **AND THE PRINCIPAL**, supervisor, or any other individual, as determined by the county board, agree that the teacher is ready to take on the additional responsibilities required by the position at the next level; and

DRAFTER’S NOTE:

Error: Omitted conjunction in § 6–1007(a)(2)(ii) of the Education Article.

Occurred: Ch. 36, Acts of 2021.

7–304.1.

(a) In this section, [“Positive Behavioral Interventions and Support Program”] **“POSITIVE BEHAVIORAL INTERVENTIONS AND SUPPORT PROGRAM”** means the research–based, systems approach method adopted by the State Board to build capacity among school staff to adopt and sustain the use of positive, effective practices to create learning environments where teachers can teach and students can learn.

DRAFTER’S NOTE:

Error: Capitalization error in § 7–304.1(a) of the Education Article.

Occurred: Ch. 222, Acts of 2004.

7–401.

(b) The Department [of Education] and the Maryland Department of Health jointly shall:

(1) Develop public standards and guidelines for school health programs; and

(2) Offer assistance to the county boards and county health departments in their implementation.

(c) (4) The Department [of Education] shall conduct at least two meetings annually with all school health services program coordinators in the State.

DRAFTER’S NOTE:

Error: Extraneous language in § 7–401(b) and (c)(4) of the Education Article.

Occurred: Ch. 22, Acts of 1978; Ch. 464, Acts of 2006.

7–402.

(a) The Department [of Education] in consultation with the Maryland Department of Health shall adopt regulations requiring a physical examination for children entering the Maryland Public School System for the first time.

DRAFTER’S NOTE:

Error: Extraneous language in § 7–402(a) of the Education Article.

Occurred: Ch. 475, Acts of 1990.

7–404.

(f) In cooperation with the Maryland Department of Health, the Department [of Education] shall adopt standards, rules, and regulations to carry out the provisions of this section.

DRAFTER’S NOTE:

Error: Extraneous language in § 7–404(f) of the Education Article.

Occurred: Ch. 22, Acts of 1978.

7–447.1.

(m) (1) The Consortium, in consultation with the National Center on School Mental Health, shall develop accountability metrics that may be used to demonstrate whether the services and supports provided through a coordinated community supports partnership that receives a grant from the Commission are positively impacting the students served by the coordinated community supports partnership, their families, and the community, including metrics that would measure:

(i) Whether there have been any:

1. [Increase] **INCREASES** in services provided;

2. Reductions in absenteeism;

3. Repeat referrals to the coordinated community supports partnership;

4. [Reduction] **REDUCTIONS** in interactions of the students with youth–serving agencies; and

5. [Increase] **INCREASES** in funding through federal, local,
and private sources; and

DRAFTER'S NOTE:

Error: Incorrect word usage in § 7–447.1(m)(1)(i) of the Education Article.

Occurred: Ch. 36, Acts of 2021.

7–602.

(b) (2) The amount included for this Program in the annual State budget, including any federal funds, and as submitted to and appropriated by the General Assembly, shall be distributed to the county boards and participating nonpublic schools in the same manner as the process established under [§ 5–212] **§ 5–205** of this article.

DRAFTER'S NOTE:

Error: Obsolete cross–reference in § 7–602(b)(2) of the Education Article.

Occurred: Ch. 36, Acts of 2021.

7–1702.

(b) (2) The Department shall consult with the Department of Natural Resources when reviewing the recreational components of an extended day [or] **AND** summer enhancement program.

(c) (1) (i) On or before December 1, 2016, the Department, in consultation with the Department of Natural Resources, shall develop a comprehensive plan for extended day [or] **AND** summer enhancement programs.

DRAFTER'S NOTE:

Error: Incorrect word usage in § 7–1702(b)(2) and (c)(1)(i) of the Education Article.

Occurred: Ch. 32, Acts of 2016.

7–1703.

(c) (3) A public school is encouraged to partner with nonprofit organizations to provide extended [school] day and summer enhancement programs for their students.

DRAFTER'S NOTE:

Error: Extraneous language in § 7–1703(c)(3) of the Education Article.

Occurred: Ch. 32, Acts of 2016.

9.5–903.

(b) The Office may award funding to a child care provider through the program for the purpose of improving the child care provider’s quality of care through the purchase of [Office approved] **OFFICE–APPROVED**:

(1) Materials;

(2) Equipment; or

(3) Supplies.

DRAFTER’S NOTE:

Error: Omitted hyphen in § 9.5–903(b) of the Education Article.

Occurred: Ch. 36, Acts of 2021.

9.5–904.

(c) If a person pursues, obtains, or already holds an [Office approved] **OFFICE–APPROVED** credential, the Office may award to the individual:

(1) An achievement bonus;

(2) A training reimbursement; or

(3) A training voucher.

DRAFTER’S NOTE:

Error: Omitted hyphen in § 9.5–904(c) of the Education Article.

Occurred: Ch. 36, Acts of 2021.

9.5–905.

(c) An award under this section may only be:

(2) Used by the awardee for the actual expense of college coursework incurred subsequent to an award toward the completion of:

(i) A college degree in early childhood education or A related field;

or

(ii) Developmental coursework required to meet prerequisites for a degree program in early childhood education or A related field.

DRAFTER'S NOTE:

Error: Omitted articles in § 9.5–905(c)(2) of the Education Article.

Occurred: Ch. 36, Acts of 2021.

11–203.

(e) (1) An institution that closes one or more programs in a manner that is a disorderly closure as defined in [§ 11–210] **§ 11–211** of this subtitle is in violation of the enrollment agreement or other contract with a student enrolled at the time of the closure.

DRAFTER'S NOTE:

Error: Obsolete cross–reference in § 11–203(e)(1) of the Education Article.

Occurred: Ch. 554, Acts of 2020.

11–601.

(d) (3) The disciplinary proceedings provisions required under paragraph (1) of this subsection shall include a description of the rights of a student who alleges a violation of or a student who responds to an allegation of a violation of the institution's sexual assault policy, including:

(vi) Assistance by a licensed attorney, an advocate supervised by an attorney, or a trained advocate throughout the disciplinary proceedings, including by the [attorney] **ATTORNEY'S** or advocate's:

1. Attendance at hearings, meetings, and interviews with the student;

2. Private consultations with the student during hearings, meetings, and interviews, except during questioning of the student at a hearing; and

3. Assistance with the student's exercise of any right during the disciplinary proceedings; and

DRAFTER'S NOTE:

Error: Incorrect word usage in § 11–601(d)(3)(vi) of the Education Article.

Occurred: Chs. 394 and 395, Acts of 2018.

1 12–106.

2 (c) Except as provided in subsection (d) of this section, with respect to each
3 institution under its jurisdiction, and subject to the provisions of Title 11 of this article, in
4 consultation with the Chancellor, the Board shall:

5 (5) Establish and implement:

6 (i) Procedures for transfer of [student] **STUDENTS** and faculty
7 between constituent institutions;

8 DRAFTER'S NOTE:

9 Error: Grammatical error in § 12–106(c)(5)(i) of the Education Article.

10 Occurred: Ch. 246, Acts of 1988.

11 13–309.

12 In order to provide financial independence and stability to the Medical System
13 Corporation, there is an Operating Reserve Fund held by the Treasurer of the State for the
14 Medical System Corporation. The Board of Directors may request funds from the Treasurer
15 from the Operating Reserve Fund and the Treasurer, with the approval of the Board of
16 Public Works, shall transfer the amount requested to the Medical System Corporation but
17 only to the extent that the Operating Reserve Fund has been funded by appropriation in
18 an annual State budget. Advances from the Operating Reserve Fund shall be treated as
19 loans from the State, subordinate to the rights of other creditors of the Medical System
20 Corporation, and the Board of Directors shall cause such advances to be repaid to the
21 Treasurer as soon as the financial condition of the Medical System Corporation reasonably
22 permits. The Treasurer shall hold any repaid advances in the Operating Reserve Fund
23 subject to further advances to the Medical System Corporation. The money in the Operating
24 Reserve Fund [shall] **MAY** not revert to the general treasury at the end of the State's fiscal
25 year, and all investment earnings in such Fund shall become a part of such Fund.

26 DRAFTER'S NOTE:

27 Error: Stylistic error in § 13–309 of the Education Article.

28 Occurred: Ch. 288, Acts of 1984.

29 13–517.

30 (a) (4) “Facility” means an agency, **AN** association, **A** corporation, **A** firm, **A**
31 partnership, or **ANY** other entity.

32 (10) “Registered facility” means an organization, **A** business association, **AN**

agency, or ANY other entity that meets the requirements of the EMS Board for registering with the Program.

DRAFTER'S NOTE:

Error: Grammatical errors in § 13–517(a)(4) and (10) of the Education Article.

Occurred: Ch. 167, Acts of 1999; Ch. 593, Acts of 2008.

13–703.

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

SECTION:

[(2)] (1) “Recyclable materials” means materials that:

(i) If not recycled, would become solid waste for disposal in a refuse disposal system; and

(ii) May be collected, separated, or processed and returned to the marketplace in the form of raw materials or [products.] **PRODUCTS; AND**

[(3)] (2) “Recyclable materials” includes paper, glass, metals, plastics, and cardboard.

DRAFTER'S NOTE:

Error: Stylistic and tabulation errors in § 13–703(a) of the Education Article.

Occurred: Ch. 99, Acts of 1997.

15–106.2.

(a) In this section, “residency requirement” means the requirement of a public senior higher education institution [that] **FOR** a student [has] **TO HAVE** resided in the State for 1 year to be considered a resident and receive in-State tuition status.

DRAFTER'S NOTE:

Error: Grammatical error in § 15–106.2(a) of the Education Article.

Occurred: Ch. 472, Acts of 2001.

15–106.9.

(a) In this section, “residency requirement” means the requirement of a public

senior higher education institution [that] **FOR** a student [has] **TO HAVE** resided in the State for 12 consecutive months to be considered a resident and receive in-State tuition status.

DRAFTER'S NOTE:

Error: Grammatical error in § 15–106.9(a) of the Education Article.

Occurred: Ch. 826, Acts of 2017.

15–112.

(a) (3) (i) “Bundle” means one or more college textbooks or other supplemental [material] **MATERIALS** that are packaged together to be sold as course materials for one price.

DRAFTER'S NOTE:

Error: Grammatical error in § 15–112(a)(3)(i) of the Education Article.

Occurred: Chs. 520 and 521, Acts of 2009.

15–129.

(c) The purpose of the Fund is to provide reserve funding for Bowie State University, Coppin State University, Morgan State University, and University of Maryland Eastern Shore that is used for purposes consistent with the uses specified under [§ 15–126] **§ 15–128** of this title.

(f) The Fund consists of:

(1) The remainder of any funds unused at the end of a fiscal year that is distributed to the Fund under [§ 15–126] **§ 15–128** of this title;

(g) The Fund may be used only for the uses specified under [§ 15–126] **§ 15–128** of this title.

(j) Money expended from the Fund for the uses specified under [§ 15–126] **§ 15–128** of this title is supplemental to and is not intended to take the place of funding that otherwise would be appropriated for the uses specified under [§ 15–126] **§ 15–128** of this title or any other funds appropriated to public institutions of higher education in the State budget.

DRAFTER'S NOTE:

Error: Erroneous cross-reference in § 15–129(c), (f)(1), (g), and (j) of the Education

1 Article.

2 Occurred: Chs. 41 and 42, Acts of 2021.

3 16–505.

4 (e) (2) Subject to the prior approval of the Board of Public Works, the Board
5 **OF TRUSTEES** may sell, lease, encumber, or otherwise dispose of any real property,
6 improvement to real property, or license of the College.

7 DRAFTER’S NOTE:

8 Error: Omitted words in § 16–505(e)(2) of the Education Article.

9 Occurred: Ch. 220, Acts of 1990.

10 16–505.2.

11 On or before December 1 each year, the Board **OF TRUSTEES** shall report to the
12 Governor and, in accordance with § 2–1257 of the State Government Article, to the Senate
13 [Education, Health, and Environmental Affairs] **EDUCATION, ENERGY, AND THE**
14 **ENVIRONMENT** Committee and the House Appropriations Committee of the General
15 Assembly regarding its progress in implementing the duties and responsibilities listed
16 under § 16–505(c) of this subtitle.

17 DRAFTER’S NOTE:

18 Error: Omitted words and obsolete terminology in § 16–505.2 of the Education
19 Article.

20 Occurred: Chs. 847 and 848, Acts of 2017, as a result of the renaming of the Senate
21 Education, Health, and Environmental Affairs Committee to be the Senate Education,
22 Energy, and the Environment Committee in December 2022.

23 18–303.1.

24 (g) (2) The Department shall distribute grants to nonprofit organizations that:

25 (ii) Will administer the Program in local school systems in which at
26 least 50% of the students as a percentage of full–time equivalent students as defined in [§
27 5–202] **§ 5–201** of this article are eligible to receive a free lunch under the National School
28 Lunch Program in the 2015–2016 school year.

29 DRAFTER’S NOTE:

30 Error: Erroneous cross–reference in § 18–303.1(g)(2)(ii) of the Education Article.

Occurred: Ch. 36, Acts of 2021.

21–309.

(a) (5) (ii) “Qualified employee with a disability” includes:

1. An individual who has been determined by the Maryland Department of Labor, in consultation with the [United States Veterans Administration] **U.S. DEPARTMENT OF VETERANS AFFAIRS**, as having been discharged or released from active duty in the armed forces of the United States for a service–connected disability; and

DRAFTER’S NOTE:

Error: Stylistic error in § 21–309(a)(5)(ii)1 of the Education Article.

Occurred: As a result of correction by the publisher of the Annotated Code in the 2022 Replacement Volume of the Education Article made pursuant to Ch. 135, § 6, Acts of 2022.

23–108.

(a) Subject to the provisions of subsection (b) of this section, a free association, school, [college] **COLLEGE**, or university library in this State shall prohibit inspection, use, or disclosure of any circulation record or other item, collection, or grouping of information about an individual that:

(1) Is maintained by a library;

(2) Contains an individual’s name or the identifying number, symbol, or other identifying particular assigned to the individual; and

(3) Identifies the use a patron makes of that library’s materials, services, or facilities.

DRAFTER’S NOTE:

Error: Omitted comma in § 23–108(a) of the Education Article.

Occurred: Ch. 233, Acts of 1988.

26–103.

(a) (2) A person who drinks or possesses any alcoholic beverage and causes a public disturbance at any elementary or secondary school athletic contest may not refuse to comply with a request by a law enforcement officer to stop drinking and causing the public disturbance. If the person complies with the first request, he may not be charged

1 under this [paragraph] SECTION.

2 DRAFTER'S NOTE:

3 Error: Stylistic error in § 26–103(a)(2) of the Education Article.

4 Occurred: Ch. 22, Acts of 1978.

5 **Article – Environment**

6 6–801.

7 (q) “Reference level” means:

8 (2) If the Centers for Disease Control and Prevention [revises] **REVISE** the
9 blood lead reference value after December 31, 2023, the revised blood lead reference value,
10 beginning 1 year after the date that the Centers for Disease Control and Prevention revised
11 the blood lead reference value.

12 DRAFTER'S NOTE:

13 Error: Grammatical error in § 6–801(q)(2) of the Environment Article.

14 Occurred: Ch. 86, Acts of 2022.

15 9–1601.

16 (hh) (1) “Person” means an individual, A corporation, A partnership, AN
17 association, A nonprofit entity, the State, any unit of the State, A commission, A special
18 taxing district, or the federal government.

19 (ii) (2) “Residential dwelling” does not include a hospital, A hotel, A motel, AN
20 inn, A boarding house, A club, A dormitory, A school, A college, or A similar seasonal,
21 institutional, or transient facility.

22 DRAFTER'S NOTE:

23 Error: Omitted articles in § 9–1601(hh)(1) and (ii)(2) of the Environment Article.

24 Occurred: Ch. 428, Acts of 2004.

25 **Article – Family Law**

26 5–710.

27 (c) If a report has been made to the State's Attorney's office under [§ 5–706(j)] §

1 **5–706(I)** of this subtitle and the office is not satisfied with the recommendation of the local
2 department, the office may petition a juvenile court, at the time of the report by the
3 representative, to remove the child, if the State’s Attorney concludes that the child is in
4 serious physical danger and that an emergency exists.

5 DRAFTER’S NOTE:

6 Error: Erroneous cross–reference in § 5–710(c) of the Family Law Article.

7 Occurred: As a result of Ch. 129, Acts of 2021.

8 **Article – Health – General**

9 2–104.

10 (j) [Except as otherwise provided by law and paragraphs (2) and (3) of this
11 subsection, the] **THE** Secretary shall pay all money collected by the Department under this
12 article into the General Fund of this State.

13 DRAFTER’S NOTE:

14 Error: Extraneous phrase in § 2–104(j) of the Health – General Article.

15 Occurred: As a result of Ch. 222, Acts of 2022.

16 4–211.

17 (k) (1) The Secretary shall, on request, prepare and register a certificate in
18 this State for an individual born in a foreign country and who was adopted:

19 (ii) 1. Under the laws of a jurisdiction or country other than the
20 United States and has been granted an IR–3 or IH–3 visa by the [United States
21 Immigration and Naturalization Service] **U.S. CITIZENSHIP AND IMMIGRATION**
22 **SERVICES** under the Immigration and Nationality Act; and

23 (3) If the child was adopted under the laws of a jurisdiction or country other
24 than the United States and has been granted an IR–3 or IH–3 visa by the [United States
25 Immigration and Naturalization Service] **U.S. CITIZENSHIP AND IMMIGRATION**
26 **SERVICES** under the Immigration and Nationality Act, the certificate shall be established
27 on receipt of:

28 (i) An official copy of the decree from the jurisdiction or country in
29 which the child was adopted;

30 (ii) A certified translation of the foreign adoption decree;

(iii) Proof of the date and place of the child's birth;

(iv) Proof of IR-3 or IH-3 visa status;

(v) A request from the court, the adopting parents, or the adopted person if 18 years of age or over that the certificate be prepared; and

(vi) Proof that the adopting parent is a resident of this State.

DRAFTER'S NOTE:

Error: Obsolete terminology in § 4-211(k)(1)(ii)1 and (3) of the Health – General Article.

Occurred: As a result of the reorganization of the United States Immigration and Naturalization Service in 2003.

4-306.

(b) A health care provider shall disclose a medical record without the authorization of a person in interest:

(6) Subject to the additional limitations for a medical record developed primarily in connection with the provision of mental health services in § 4-307 of this subtitle and except as otherwise provided in items (2), (7), and (8) of this subsection, in accordance with compulsory process, if a health care provider receives:

(i) 3. A copy of an order entered by a court expressly authorizing disclosure of the designated medical records; [and]

DRAFTER'S NOTE:

Error: Extraneous conjunction in § 4-306(b)(6)(i)3 of the Health – General Article.

Occurred: As a result of Ch. 300, Acts of 2008.

5-615.

(b) (4) Paragraph (2) of this subsection does not apply to:

(iv) A hospice as defined in § 19-901 of this [title] **ARTICLE**.

DRAFTER'S NOTE:

Error: Stylistic error in § 5-615(b)(4)(iv) of the Health – General Article.

Occurred: Chs. 311 and 312, Acts of 2022.

1 13–4704.

2 (b) The coordinating organization shall:

3 (5) Meet any other requirements established by the Department if the
4 requirements are not inconsistent with Title 20, Subtitle 2 of [the Health – General Article]
5 **THIS ARTICLE**; and

6 (c) (1) The Department shall release the name of the coordinating
7 organization that the Department contracts with under subsection (a) of this section and
8 any entity receiving funds through the [coordination] **COORDINATING** organization.

9 DRAFTER’S NOTE:

10 Error: Stylistic error in § 13–4704(b)(5) of the Health – General Article and
11 inconsistent terminology in § 13–4704(c)(1) of the Health – General Article.

12 Occurred: Ch. 56, Acts of 2022.

13 19–145.

14 (a) (4) [“State designated exchange”] **“STATE–DESIGNATED HEALTH**
15 **INFORMATION EXCHANGE”** has the meaning stated in [§ 4–302.3] **§ 4–301** of this article.

16 (b) The [State designated] **STATE–DESIGNATED HEALTH INFORMATION**
17 exchange shall operate as a health data utility for the State.

18 (d) Dispensers shall provide data to the [State designated]
19 **STATE–DESIGNATED HEALTH INFORMATION** exchange.

20 (e) (2) After dispensing a noncontrolled prescription drug, a dispenser shall
21 submit prescription information to the [State designated] **STATE–DESIGNATED HEALTH**
22 **INFORMATION** exchange.

23 (4) The [State designated] **STATE–DESIGNATED HEALTH**
24 **INFORMATION** exchange may not impose any fees or other assessments on dispensers to
25 support the operation of the exchange.

26 (5) The [State designated] **STATE–DESIGNATED HEALTH**
27 **INFORMATION** exchange shall make prescription information submitted under this
28 subsection available for purposes of treatment and care coordination of a patient.

29 (f) The [State designated] **STATE–DESIGNATED HEALTH INFORMATION**
30 exchange may provide data, as allowed by law, for public health purposes that may include:

(1) Improving health equity through access to prescription medications, including for the treatment of infectious disease;

(2) Assisting programs led by health care providers and the Department, local health departments, the Commission, and the Health Services Cost Review Commission to identify opportunities for quality improvement, including for stewardship of antibiotic medications; and

(3) Conducting case investigations and related activities.

(g) Information submitted to the [State] **STATE-DESIGNATED HEALTH** information exchange or provided by the [State] **STATE-DESIGNATED HEALTH** information exchange under this section shall be submitted or provided, to the extent practicable, in as near to real time as possible.

(i) (1) The [State designated] **STATE-DESIGNATED HEALTH INFORMATION** exchange shall establish a consumer advisory council to bring the perspectives of individuals and organizations with an interest in protecting consumers into the delivery of services provided by the [State designated] **STATE-DESIGNATED HEALTH INFORMATION** exchange.

(2) In selecting members, the [State designated] **STATE-DESIGNATED HEALTH INFORMATION** exchange shall consider diversity of experience.

DRAFTER'S NOTE:

Error: Erroneous terminology and erroneous cross-reference in § 19–145(a)(4), (b), (d), (e)(2), (4), and (5), (f), (g), and (i)(1) and (2) of the Health – General Article.

Occurred: As a result of Ch. 798, Acts of 2021.

19–214.1.

(f) (2) The information sheet shall:

(i) Be in simplified language in at least 10 point type; **AND**

DRAFTER'S NOTE:

Error: Omitted conjunction in § 19–214.1(f)(2)(i) of the Health – General Article.

Occurred: Ch. 470, Acts of 2020.

21–2C–03.

(e) (1) (iii) The following actions by the Board shall be made in open session:

1 1. The study required under § 21-2C-07 **OF THIS**
2 **SUBTITLE**;

3 DRAFTER'S NOTE:

4 Error: Stylistic error in § 21-2C-03(e)(1)(iii)1 of the Health – General Article.

5 Occurred: Ch. 692, Acts of 2019.

6 24-307.

7 (c) (2) The local health departments shall report violations of subsection (b) of
8 this section to the [Comptroller's Office] **EXECUTIVE DIRECTOR OF THE ALCOHOL AND**
9 **TOBACCO COMMISSION**.

10 DRAFTER'S NOTE:

11 Error: Obsolete terminology in § 24-307(c)(2) of the Health – General Article.

12 Occurred: As a result of Ch. 12, Acts of 2019, which transferred oversight of the sale
13 and distribution of tobacco products from the Comptroller to the Alcohol and Tobacco
14 Commission.

15 24-508.

16 (a) Subject to subsection (c) of this section and except as provided in subsection
17 (d) of this section, a person who violates a provision of this subtitle or a regulation adopted
18 under § 24-507(a) of this subtitle:

19 (3) For each subsequent violation, is subject to a civil penalty **OF** not less
20 than \$250.

21 DRAFTER'S NOTE:

22 Error: Missing word in § 24-508(a)(3) of the Health – General Article.

23 Occurred: Chs. 501 and 502, Acts of 2007.

24 24-1702.

25 (d) The money in the Fund shall be used by the [Office] **DEPARTMENT** to
26 administer the Program.

27 DRAFTER'S NOTE:

Error: Obsolete terminology in § 24–1702(d) of the Health – General Article.

Occurred: As a result of Ch. 402, Acts of 2020, which transferred oversight of the Maryland Loan Assistance Repayment Program for Physicians and Physician Assistants from the Office of Student Financial Assistance within the Maryland Higher Education Commission to the Maryland Department of Health.

Article – Health Occupations

4–301.1.

(b) (2) A dental assistant who is certified by the Board to perform an intraoral procedure listed in paragraph (1) of this subsection may perform the intraoral procedure listed in paragraph (1) of this subsection if a licensed dentist:

(i) Gives the [certified] **EXPANDED FUNCTION** dental assistant specific instructions to perform the intraoral procedure; and

(ii) Directly supervises the [certified] **EXPANDED FUNCTION** dental assistant performing the intraoral procedure.

DRAFTER’S NOTE:

Error: Inconsistent terminology in § 4–301.1(b)(2) of the Health Occupations Article.

Occurred: Ch. 364, Acts of 2022.

4–307.1.

(b) The Board shall include on each certificate that the Board issues:

(3) The intraoral procedures that the [certified] **EXPANDED FUNCTION** dental assistant is qualified to perform;

(c) The Board shall issue a certificate to replace a lost or destroyed certificate if the [certified] **EXPANDED FUNCTION** dental assistant pays a fee set by the Board that approximates the actual cost of replacing the certificate.

DRAFTER’S NOTE:

Error: Inconsistent terminology in § 4–307.1(b)(3) and (c) of the Health Occupations Article.

Occurred: Ch. 364, Acts of 2022.

4–309.1.

(b) At least 1 month before a certificate expires, the Board shall send to the [certified] **EXPANDED FUNCTION** dental assistant, by electronic means and first-class mail to the last known electronic or physical address of the dental assistant, a renewal notice that states the:

(1) Date on which the current certificate expires;

(2) Date by which the renewal application must be received by the Board for the renewal to be issued and mailed before the certificate expires; and

(3) Amount of the renewal fee.

DRAFTER'S NOTE:

Error: Inconsistent terminology in § 4–309.1(b) of the Health Occupations Article.

Occurred: Ch. 364, Acts of 2022.

4–315.

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

(27) [(i)] Except as provided in [subparagraph (ii) of this paragraph] **SUBSECTION (B) OF THIS SECTION**, divides a fee with another dentist if the division is not in proportion to the services performed and the responsibility assumed by each dentist;

[(ii)] A dentist may divide a fee with another dentist who is a partner or an associate in the same dental practice if dividing the fee does not increase the fee for the service charged to the patient;]

(37) Accepts or tenders rebates or splits fees in violation of § 4–103(c) of this [subtitle] **TITLE**; or

(B) A DENTIST MAY DIVIDE A FEE WITH ANOTHER DENTIST WHO IS A PARTNER OR AN ASSOCIATE IN THE SAME DENTAL PRACTICE IF DIVIDING THE FEE DOES NOT INCREASE THE FEE FOR THE SERVICE CHARGED TO THE PATIENT.

DRAFTER'S NOTE:

Error: Stylistic errors in § 4–315(a)(27) and (37) of the Health Occupations Article.

Occurred: Ch. 488, Acts of 1987 and Chs. 379 and 380, Acts of 2020.

1 8–6A–08.

2 (k) The Board shall pay any penalty collected under this [subsection] SECTION
3 to the General Fund of the State.

4 DRAFTER’S NOTE:

5 Error: Stylistic error in § 8–6A–08(k) of the Health Occupations Article.

6 Occurred: Chs. 455 and 456, Acts of 2004.

7 9–202.

8 (a) (1) The Board consists of [17] 18 members.

9 DRAFTER’S NOTE:

10 Error: Incorrect count in § 9–202(a)(1) of the Health Occupations Article.

11 Occurred: Chs. 689 and 690, Acts of 2022.

12 9–3A–12.

13 (b) Subject to the hearing provisions of § 9–3A–14 of this subtitle, the Board may
14 deny a license to any applicant, reprimand any licensee, place any licensee on probation,
15 suspend or revoke a license, or impose a civil fine if the applicant or licensee:

16 (1) Fraudulently or deceptively obtains or attempts to obtain a license for
17 **THE APPLICANT**, the licensee, or for another individual;

18 DRAFTER’S NOTE:

19 Error: Missing word in § 9–3A–12(b)(1) of the Health Occupations Article.

20 Occurred: Chs. 689 and 690, Acts of 2022.

21 9–3A–14.

22 (a) Except as otherwise provided in the Administrative Procedure Act, before the
23 Board takes any action under [§ 9–3A–12] **§ 9–3A–12(B)** of this subtitle, it shall give the
24 individual against whom the action is contemplated an opportunity for a hearing before the
25 Board.

26 DRAFTER’S NOTE:

27 Error: Erroneous cross–reference in § 9–3A–14(a) of the Health Occupations Article.

Occurred: Chs. 689 and 690, Acts of 2022.

17–512.

(a) Except as provided in this section for an action under [§ 17–409] **§ 17–509** of this [title] **SUBTITLE**, any person aggrieved by a final decision of the Board in a contested case, as defined in [§ 10–201] **§ 10–202** of the State Government Article, may petition for judicial review as allowed by the Administrative Procedure Act.

DRAFTER’S NOTE:

Error: Erroneous cross–references and stylistic error in § 17–512(a) of the Health Occupations Article.

Occurred: Ch. 505, Acts of 2018.

Article – Human Services

5–322.

(b) The information in the report required under subsection (a)(1) of this section shall be broken down by the types of vocational education or education programs in which the recipients engaged, including:

(3) postsecondary education programs that are not included in [items] **ITEM** (1) or (2) of this subsection;

DRAFTER’S NOTE:

Error: Incorrect word usage in § 5–322(b)(3) of the Human Services Article.

Occurred: Ch. 476, Acts of 2019.

5–323.

(f) Until the Department has fully [implemented] **IMPLEMENTED**, to the extent practicable, the recommendations of the final review submitted under subsection (e) of this section, beginning in calendar year 2024 and each year thereafter, the Department shall report, in accordance with § 2–1257 of the State Government Article, to the Senate Finance Committee and the House Appropriations Committee on the plans and progress for implementing the recommendations made in the review.

DRAFTER’S NOTE:

Error: Omitted comma in § 5–323(f) of the Human Services Article.

Occurred: Chs. 506 and 507, Acts of 2022.

Article – Insurance

27–216.

(d) (7) Regardless of the number of insurers participating on a risk:

(i) only one inspection fee may be charged to recoup the actual cost of an inspection under [paragraph] PARAGRAPHS (5) and (6) of this subsection for each policy or certificate of coverage; and

DRAFTER’S NOTE:

Error: Incorrect word usage in § 27–216(d)(7)(i) of the Insurance Article.

Occurred: Chs. 723 and 724, Acts of 2022.

Article – Natural Resources

3–103.

(h) (1) The Service:

(i) May create and establish 1 or more project reserve funds in such amounts as the Board considers appropriate, including the following project reserve funds:

1. An Eastern Correctional Institution [Steam] Turbine
PROJECT Contingency Fund;

DRAFTER’S NOTE:

Error: Misnomer in § 3–103(h)(1)(i)1 of the Natural Resources Article.

Occurred: Ch. 397, Acts of 2011.

4–714.

(a) Except as provided in subsection (f) of this section, a person may only fish with a rod, or [hook,] HOOK and [line] LINE, in the waters of Coxes’ Creek, Furnace Branch Creek, or Marley Creek above the B. and O. Bridge.

(b) (2) Except as provided in subsection (f) of this section, a person may fish only with a rod, or [hook,] HOOK and line, in the waters of the Little Magothy River and its tributaries and in the Magothy River and its tributaries lying westerly of the mouth of the Magothy River and inside a line drawn 214 degrees true from extreme end of Mountain

1 Point to Persimmon Point, referring to the last edition of the Coast and Geodetic Survey
2 Chart No. 566.

3 (c) (2) Except as provided in subsection (f) of this section, a person may fish
4 only with a rod, or hook and [line] **LINE**, in the waters of the Severn River or any creek,
5 cove, tributary, or inlet of the Severn River. A line drawn from the extreme projection of
6 Greenberry Point into the Chesapeake Bay to the extreme point of Horn Point, marks the
7 mouth of the Severn River for the purpose of [the] **THIS** title.

8 DRAFTER'S NOTE:

9 Error: Misplaced punctuation in § 4–714(a), (b)(2), and (c)(2) of the Natural
10 Resources Article. Incorrect word usage in § 4–714(c)(2) of the Natural Resources Article.

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

12 5–903.

13 (a) (2) (iv) In addition to the \$3,000,000 under [subsection (a)(1)(i)]
14 **PARAGRAPH 1(I)** of this [section] **SUBSECTION** that may be transferred to the Maryland
15 Heritage Areas Authority Financing Fund, up to \$3,000,000 of the State's share of funds
16 available under subparagraph (i)1A of this paragraph may be transferred by an
17 appropriation in the State budget or by an amendment to the State budget under Title 7,
18 Subtitle 2 of the State Finance and Procurement Article to the Maryland Heritage Areas
19 Authority Financing Fund established under Title 13, Subtitle 11 of the Financial
20 Institutions Article to be used for the purposes provided in that subtitle.

21 DRAFTER'S NOTE:

22 Error: Stylistic error in § 5–903(a)(2)(iv) of the Natural Resources Article.

23 Occurred: Ch. 10, Acts of 2018.

24 5–906.

25 (e) The applicant shall certify on each application that:

26 (5) The applicant has received or not received federal funds for the project;
27 **AND**

28 (6) The Department's rules and regulations have been complied [with;]
29 **WITH.**

30 **(F) [(7)] (1) (I)** Land acquired or developed under a State grant from
31 Program Open Space may not be converted, without written approval of the Secretary, the
32 Secretary of the Department of Budget and Management, and the Secretary of the

Department of Planning from outdoor public recreation or open space use to any other use.

(II) Any conversion in land use may be approved only after the local governing body replaces the land with land of at least equivalent area and of equal recreation or open space [value; and] **VALUE**.

~~[(8)] (2)~~ (i) For any conversion of land acquired or developed under a State grant from Program Open Space as provided in paragraph ~~[(7)] (1)~~ of this subsection, the appraised monetary value of the land proposed for acquisition shall be equal to or greater than the appraised monetary value of the land to be converted, under the proposed new use of the converted land.

(ii) The State shall consider these funds in excess of the encumbered Program Open Space funds to the local jurisdiction.

DRAFTER'S NOTE:

Error: Tabulation error in § 5–906(e)(5) through (8) of the Natural Resources Article.

Occurred: Ch. 584, Acts of 1995.

5–1012.

(h) It is the intent of the General Assembly that if the State acquires Carr's Beach for the purpose of making the property a State park, [that] the property shall be a partnership park established and maintained in a manner substantially similar to the requirements established under subsections (b) through (d) of this section.

DRAFTER'S NOTE:

Error: Extraneous language in § 5–1012(h) of the Natural Resources Article.

Occurred: Ch. 39, Acts of 2022.

8–1804.

(a) (1) The Commission consists of 29 voting members who are appointed by the Governor, as follows:

(iii) 8 individuals, appointed with the advice and consent of the Senate, who shall represent diverse interests, and among whom shall be a resident from each of the 5 counties that are listed and from which an appointment has not been made under [paragraph (2) of this subsection] **ITEM (II) OF THIS PARAGRAPH** and 3 of the 8 members appointed under this item shall be at large members, 1 of whom shall be a private citizen and resident of the Atlantic Coastal Bays Watershed; and

1 DRAFTER'S NOTE:

2 Error: Erroneous cross-reference in § 8-1804(a)(1)(iii) of the Natural Resources
3 Article.

4 Occurred: Ch. 433, Acts of 2002.

5 10-906.

6 (b) (3) (i) As part of the application for a regulated shooting ground permit,
7 a person may apply to the Department for authorization to allow hunting on Sunday as
8 provided under [§ 10-410(a)(2)(iii)] **§ 10-410(A)(10)** of this title.

9 DRAFTER'S NOTE:

10 Error: Erroneous cross-reference in § 10-906(b)(3)(i) of the Natural Resources
11 Article.

12 Occurred: Ch. 95, Acts of 2020.

13 **Article – Public Safety**

14 3-501.

15 (a) In this section, “manufacturer” [has the meaning stated in § 5-131(a)(2) of
16 this article] **MEANS A PERSON WHO POSSESSES A FEDERAL LICENSE TO ENGAGE IN**
17 **THE BUSINESS OF MANUFACTURING FIREARMS OR AMMUNITION FOR SALE OR**
18 **DISTRIBUTION.**

19 DRAFTER'S NOTE:

20 Error: Obsolete cross-reference in § 3-501(a) of the Public Safety Article.

21 Occurred: As a result of Ch. 379, Acts of 2015. Ch. 379 repealed former § 5-131 of
22 the Public Safety Article. Section 3-501(a) of the Public Safety Article is amended by this
23 Act to restate the definition of “manufacturer” as it appeared in former § 5-131 without
24 substantive change.

25 3-509.

26 (b) (2) An employee of a law enforcement agency who violates this subsection
27 is subject to imprisonment not exceeding 1 year [and] **OR** a fine not exceeding \$10,000 or
28 both.

29 DRAFTER'S NOTE:

Error: Erroneous conjunction in § 3–509(b)(2) of the Public Safety Article.

Occurred: Ch. 192, Acts of 2014.

3–522.

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

(i) the Executive Director of the [Police and Correctional Training Commission] **MARYLAND POLICE TRAINING AND STANDARDS COMMISSION**, or the Executive Director’s designee;

DRAFTER’S NOTE:

Error: Misnomer in § 3–522(c)(2)(i) of the Public Safety Article.

Occurred: Ch. 547, Acts of 2020. Ch. 519 of the Acts of 2016 reconstituted and renamed the Police Training Commission as the Maryland Police Training and Standards Commission within the Department of Public Safety and Correctional Services. The Maryland Police Training and Standards Commission is a separate entity from the Correctional Training Commission.

5–133.3.

(b) A person subject to a regulated firearms disqualification under § 5–133(b)(6), (7), (8), (9), (10), or (11) of this subtitle, a rifle or shotgun disqualification under § 5–205(b)(6), (7), (8), (9), (10), or (11) of this title, or prohibited from the shipment, transportation, possession, or receipt of a firearm by [18 U.S.C. §§ 922(d)(4) or (g)(4)] **18 U.S.C. § 922(D)(4) OR (G)(4)** as a result of an adjudication or commitment that occurred in the State may be authorized to possess a firearm if:

(1) the person is not subject to another firearms restriction under State or federal law; and

(2) the Health Department, in accordance with this section, determines that the person may possess a firearm.

(d) An application for relief from a firearms disqualification shall include:

(1) a complete and accurate statement explaining the reason why the applicant is prohibited from possessing a regulated firearm under § 5–133(b)(6), (7), (8), (9), (10), or (11) of this subtitle or a rifle or shotgun under § 5–205(b)(6), (7), (8), (9), (10), or (11) of this title, or is prohibited from the shipment, transportation, possession, or receipt of a firearm by [18 U.S.C. §§ 922(d)(4) or (g)(4)] **18 U.S.C. § 922(D)(4) OR (G)(4)** as a result of an adjudication or commitment that occurred in the State;

DRAFTER’S NOTE:

Error: Extraneous use of section symbol in § 5–133.3(b) and (d)(1) of the Public Safety Article.

Occurred: Ch. 427, Acts of 2013.

5–206.

(c) Each violation of this [subsection] **SECTION** is a separate crime.

DRAFTER'S NOTE:

Error: Incorrect word usage in § 5–206(c) of the Public Safety Article.

Occurred: Chs. 164 and 165, Acts of 2011.

5–703.

(c) (1) A person who violates subsection (a) of this section is guilty of a misdemeanor and **ON CONVICTION IS** subject to imprisonment not exceeding 5 years or a fine not exceeding \$10,000 or both.

(2) A person who violates subsection (b) of this section is guilty of a misdemeanor and **ON CONVICTION IS** subject to imprisonment not exceeding 2 years or a fine not exceeding \$10,000 or both.

DRAFTER'S NOTE:

Error: Stylistic errors in § 5–703(c)(1) and (2) of the Public Safety Article.

Occurred: Chs. 18 and 19, Acts of 2022.

7–209.

(c) (2) In the bylaws, the Board may:

(ii) establish eligibility requirements for certification procedures based on length of service, number of hours of service, amount of training, number of hours of training, prior service, or any other criteria considered relevant by the Board based on requirements and procedures recommended by the [Cecil County Fireman's Association] **CECIL COUNTY FIREMEN'S ASSOCIATION**;

(v) delegate record-keeping responsibilities of the Program to the Program administrative committee of the [Cecil County Fireman's Association] **CECIL COUNTY FIREMEN'S ASSOCIATION**;

DRAFTER'S NOTE:

Error: Misnomer in § 7–209(c)(2)(ii) and (v) of the Public Safety Article.

Occurred: Ch. 5, Acts of 2003.

8–102.

(f) (1) State money provided under this section may only be used to:

(iv) install life safety and fire protection systems at a fire, [a] rescue, or [an] ambulance facility;

(v) acquire land for the purpose of rehabilitation or construction of a fire, [a] rescue, or [an] ambulance facility;

DRAFTER'S NOTE:

Error: Stylistic errors in § 8–102(f)(1)(iv) and (v) of the Public Safety Article.

Occurred: Ch. 225, Acts of 2014; Ch. 421, Acts of 2022.

9–702.

(c) (3) To ensure that the money collected at least [cover] **COVERS** the costs of conducting inspections and plan reviews, the fee schedule adopted under this section shall be reviewed annually by:

(i) for a county, the local governing body of the county and the chief fiscal officer of the county; and

(ii) for a municipal corporation, the legislative body of the municipal corporation and the chief fiscal officer of the municipal corporation.

DRAFTER'S NOTE:

Error: Grammatical error in § 9–702(c)(3) of the Public Safety Article.

Occurred: Ch. 5, Acts of 2003.

12–508.

(d) Except as provided in [subsection] **SUBSECTIONS** (e) and (f) of this section, an existing agricultural building used for agritourism is not considered a change of occupancy that requires a building permit if the subordinate use of agritourism:

(1) is in accordance with limitations set forth in regulations adopted by the

1 Department;

2 (2) occupies only levels of the building on which a ground level exit is
3 located; and

4 (3) does not require more than 50 people to occupy an individual building
5 at any one time.

6 DRAFTER'S NOTE:

7 Error: Grammatical error in § 12–508(d) of the Public Safety Article.

8 Occurred: Ch. 331, Acts of 2020.

9 12–612.

10 (a) Subject to the hearing provisions of § 12–613 of this subtitle, the State Fire
11 Marshal may deny a certificate to an applicant, refuse to renew a certificate, reprimand a
12 certificate holder, suspend or revoke a certificate, or impose a civil penalty not exceeding
13 \$1,000 if the applicant or certificate holder:

14 (3) engages in an unfair, **ABUSIVE**, or deceptive trade practice, as defined
15 in § 13–301 of the Commercial Law Article;

16 DRAFTER'S NOTE:

17 Error: Misnomer in § 12–612(a)(3) of the Public Safety Article.

18 Occurred: Ch. 127, Acts of 2010.

19 12–814.2.

20 (k) The Commissioner may establish, by regulation, procedures for the issuance
21 of a warning notice instead of a citation for a [de minimus] **DE MINIMIS** violation that has
22 no direct or immediate relationship to health or safety.

23 DRAFTER'S NOTE:

24 Error: Misspelling in § 12–814.2(k) of the Public Safety Article.

25 Occurred: Ch. 145, Acts of 2009.

26 13–401.

27 (b) The National Guard and its units shall be organized as prescribed for the
28 United States Army or United States Air Force, subject in time of peace to general
29 exceptions that the Secretary of the Army or the Secretary of the Air Force [authorize]

1 **AUTHORIZES.**

2 DRAFTER'S NOTE:

3 Error: Grammatical error in § 13–401(b) of the Public Safety Article.

4 Occurred: Ch. 5, Acts of 2003.

5 13A–101.

6 (d) “Classified information” means:

7 (1) information or material that has been determined by an official of the
8 United States or a state pursuant to law, an [Executive] **EXECUTIVE** order, or regulation
9 to require protection against unauthorized disclosure for reasons of national or state
10 security; and

11 (f) “Commanding officer” includes:

12 (1) commissioned officers of the [state] **STATE** military forces; and

13 (h) “Day” means:

14 (1) calendar day and is not synonymous with the term [“unit training
15 assembly.”] **“UNIT TRAINING ASSEMBLY”**; OR

16 (i) (1) “Duty status other than [state] **STATE** active duty” means any other
17 type of duty not in federal service and not full–time duty in the active service of the [state]
18 **STATE** under an order issued by authority of law.

19 (k) “Judge advocate” means a commissioned officer of the organized state military
20 forces who is a member in good standing of the bar of the highest court of a state:

21 (1) (ii) certified as a non–federally recognized judge advocate, under
22 regulations adopted pursuant to this provision, by the senior judge advocate of the
23 commander of the force in the [state] **STATE** military forces of which the accused is a
24 member, as competent to perform such military justice duties required by this code; or

25 (2) if no judge advocate certified under item (1) of this subsection is
26 available, certified by a senior judge advocate of the commander of another force in the
27 [state] **STATE** military forces, as the convening authority directs.

28 (q) [“Record,”] **“RECORD”**, when used in connection with the proceedings of a
29 court–martial, means:

30 (1) an official written transcript, written summary, or other writing

1 relating to the proceedings; or

2 (2) an official audiotape, videotape, digital image or file, or similar material
3 from which sound, or sound and visual images depicting the proceedings, may be
4 reproduced.

5 DRAFTER'S NOTE:

6 Error: Capitalization and punctuation errors in § 13A–101(d)(1), (f)(1), (h)(1), (i)(1),
7 (k)(1)(ii) and (2), and (q) of the Public Safety Article.

8 Occurred: Ch. 592, Acts of 2020.

9 13A–103.

10 (b) No person who has deserted from the [state] **STATE** military forces may be
11 relieved from amenability to the jurisdiction of this title by virtue of a separation from any
12 later period of service.

13 DRAFTER'S NOTE:

14 Error: Capitalization error in § 13A–103(b) of the Public Safety Article.

15 Occurred: Ch. 592, Acts of 2020.

16 13A–105.

17 (a) The senior force judge advocates in each of the [State's] **STATE** military forces
18 or that judge advocate's delegates shall make frequent inspections in the field in
19 supervision of the administration of military justice in that force.

20 DRAFTER'S NOTE:

21 Error: Grammatical error in § 13A–105(a) of the Public Safety Article.

22 Occurred: Ch. 592, Acts of 2020.

23 13A–106.

24 (a) A victim of an offense under this title has all rights conferred by State law in
25 non–military courts, including:

26 (5) the reasonable right to confer beforehand with the counsel representing
27 the [Government] **GOVERNMENT** at a proceeding described in paragraph (2) of this
28 subsection and at a proceeding under § 13A–301, § 13A–405, § 13A–601.1, and § 13A–902;

29 (d) (1) If the victim of an offense under this title believes that a preliminary

hearing ruling under § 13A–603 of this title or a court–martial ruling violates the rights of the victim afforded by a provision specified in paragraph (4) of this subsection, the victim may file an interlocutory appeal to the Court of Military Appeals, and thereafter file a certiorari petition with the Supreme Court of Maryland, and an automatic stay of the military proceedings shall take effect on the filing of the notice of appeal until final disposition of the appeal, in order to require the preliminary hearing officer or the [court martial] **COURT–MARTIAL**, including in connection with § 13A–716 of this title, to comply with the provision.

(e) (1) On notice by counsel for the [Government] **GOVERNMENT** to counsel for the accused of the name of an alleged victim of an offense under this title whom counsel for the [Government] **GOVERNMENT** intends to call as a witness at a proceeding under this title, counsel for the accused shall make any request to interview the victim through the Special Victim’s Counsel or other counsel for the victim, if applicable.

(2) If requested by an alleged victim who is subject to a request for interview under paragraph (1) of this subsection, any interview of the victim by counsel for the accused shall take place only in the presence of the counsel for the [Government] **GOVERNMENT**, a counsel for the victim, or, if applicable, a victim advocate.

DRAFTER’S NOTE:

Error: Capitalization errors and an omitted hyphen in § 13A–106(a)(5), (d)(1), and (e) of the Public Safety Article.

Occurred: Ch. 592, Acts of 2020.

13A–205.

(b) No person authorized to receive prisoners pursuant to subsection (a) of this section may refuse to receive or keep a prisoner committed to the person’s charge by a commissioned officer of the [state] **STATE** military forces, when the committing officer furnishes a statement, signed by such officer, of the offense charged against the prisoner, unless otherwise authorized by law.

DRAFTER’S NOTE:

Error: Capitalization error in § 13A–205(b) of the Public Safety Article.

Occurred: Ch. 592, Acts of 2020.

13A–301.

(a) (2) The Governor, the Adjutant General, or an officer of a general or flag rank in command may delegate the powers under this section to a principal assistant who is a member of the [state] **STATE** military forces.

(b) A commanding officer may impose on enlisted members of the officer's command:

(6) a reduction to the next inferior pay grade, if the [Soldier or Airman] **SOLDIER OR AIRMAN** is in the rank of E-4 or below;

(c) A commanding officer of the grade of major or above may impose on enlisted members of the officer's command:

(4) a reduction to the lowest or any intermediate pay grade, if the [Soldier or Airman] **SOLDIER OR AIRMAN** is in the rank of E-6 or below, but an enlisted member in a pay grade above E-4 may not be reduced more than two pay grades;

(d) The Governor, the Adjutant General, an officer exercising general court-martial convening authority, or an officer of a general or flag rank in command may impose:

(2) on enlisted members of the officer's command:

(ii) a reduction to the lowest or any intermediate pay grade, if the [Soldier or Airman] **SOLDIER OR AIRMAN** is in the rank of E-9 or below, but an enlisted member in a pay grade above E-4 may not be reduced more than two pay grades.

(f) (1) Prior to the offer of non-judicial punishment, the commanding officer shall determine whether punishment more severe than 14 [days] **DAYS'** extra duty or 14 [days] **DAYS'** restriction and admonition shall be considered as punishments.

(3) If the commanding officer determines that the punishment options will not include punishment more severe than 14 [days] **DAYS'** extra duty or 14 [days] **DAYS'** restriction and admonition, the accused shall be notified that there is no right to trial by court-martial in lieu of non-judicial punishment.

DRAFTER'S NOTE:

Error: Capitalization errors and omitted apostrophes in § 13A-301(a)(2), (b)(6), (c)(4), (d)(2)(ii), and (f)(1) and (3) of the Public Safety Article.

Occurred: Ch. 592, Acts of 2020.

13A-405.

(c) (1) A summary court-martial is a [non-criminal] **NONCRIMINAL** forum.

DRAFTER'S NOTE:

Error: Extraneous hyphen in § 13A–405(c)(1) of the Public Safety Article.

Occurred: Ch. 592, Acts of 2020.

13A–506.

(b) Except as provided in subsection (c) of this section, trial counsel or defense counsel detailed for a general or special court–martial must be:

(2) in the case of trial counsel, a member in good standing of the bar of the highest court of the [State] STATE where the court–martial is held.

(c) In the instance when a defense counsel is not a member of the bar of the highest court of the [State] STATE, the defense counsel shall be deemed admitted pro hac vice, subject to filing a certificate with the military judge setting forth the qualifications that counsel is:

(1) (i) a commissioned officer of the armed forces of the United States or a component thereof;

(ii) a member in good standing of the bar of the highest court of a state; and

(iii) certified as a judge advocate in the Judge Advocate General's Corps of the Army, Air Force, Navy, or Marine Corps; or

(2) a judge advocate as defined in § 13A–101 of this title.

DRAFTER'S NOTE:

Error: Capitalization errors in § 13A–506(b)(2) and (c) of the Public Safety Article.

Occurred: Ch. 592, Acts of 2020.

13A–604.

(h) (3) Whenever practicable, the hearing officer shall be equal in grade or senior in grade to military counsel who are detailed to represent the accused or the [Government] GOVERNMENT at the preliminary hearing.

(i) After a preliminary hearing under this section, the hearing officer shall submit to the convening authority a written report, accompanied by a recording of the preliminary hearing under subsection (k) of this section, that includes the following:

(3) an analysis of any additional information submitted after the hearing by the parties or by a victim of an offense, that, under rules prescribed under § 13A–701 of this title, is relevant to disposition under [§§ 13A–601 and 13A–604] THIS SECTION AND

1 § 13A–601 of this subtitle; and

2 DRAFTER’S NOTE:

3 Error: Capitalization error and an erroneous cross–reference in § 13A–604(h)(3) and
4 (i)(3) of the Public Safety Article.

5 Occurred: Ch. 592, Acts of 2020.

6 13A–701.

7 (a) The Military Rules of Evidence and the Rules for Courts–Martial, as
8 promulgated in the most recent version of the Manual for Courts–Martial, shall as
9 recognized in military criminal cases in the courts of the armed forces apply to the extent
10 practical to [courts–martials] **COURTS–MARTIAL** convened by the Maryland National
11 Guard to the extent they do not conflict with State substantive law.

12 DRAFTER’S NOTE:

13 Error: Incorrect word usage in § 13A–701(a) of the Public Safety Article.

14 Occurred: Ch. 592, Acts of 2020.

15 13A–709.

16 (c) (2) A court–martial with a military judge and members is a trial in the
17 sense of this [article] **SECTION** if, without fault of the accused, after the members, having
18 taken an oath as members under § 13A–707 of this subtitle and after completion of
19 challenges under § 13A–706 of this subtitle, are impaneled, and before announcement of
20 findings under § 13A–718 of this subtitle, the case is dismissed or terminated by the
21 convening authority or on motion of the prosecution for failure of available evidence or
22 witnesses.

23 DRAFTER’S NOTE:

24 Error: Incorrect word usage in § 13A–709(c)(2) of the Public Safety Article.

25 Occurred: Ch. 592, Acts of 2020.

26 13A–711.

27 (b) (1) Any subpoena or other process issued under this [article] **TITLE** will
28 pertain only to military personnel or military property.

29 (4) Every subpoena or other process issued under this section shall run to
30 any part of the United States and to the [Commonwealths] **COMMONWEALTHS** and
31 possessions of the United States.

(d) (3) With respect to an investigation of an offense under this title, a military judge detailed in accordance with § 13A–505 or § 13A–602 of this title may issue warrants or court orders for the contents of, and records concerning, wire or electronic communications in the same manner as such warrants and orders may be issued by a district court of the United States under [chapter] **CHAPTER** 121, [title] **TITLE** 18 of the United States Code, subject to such limitations as the Adjutant General may prescribe by regulation.

DRAFTER’S NOTE:

Error: Capitalization errors and incorrect word usage in § 13A–711(b)(1) and (4) and (d)(3) of the Public Safety Article.

Occurred: Ch. 592, Acts of 2020.

13A–712.

A person not subject to this title may be punished by a State court of competent jurisdiction if the person:

(3) willfully neglects or refuses to appear, or refuses to qualify as a witness or to testify or to produce any evidence [which that] **THAT THE** person may have been legally subpoenaed to produce.

DRAFTER’S NOTE:

Error: Stylistic error in § 13A–712(3) of the Public Safety Article.

Occurred: Ch. 592, Acts of 2020.

13A–805.

(b) The omission of hard labor as a sentence authorized under this title does not deprive the [state] **STATE** confinement facility from employing it if hard labor is otherwise within the authority of that facility to do so.

DRAFTER’S NOTE:

Error: Capitalization error in § 13A–805(b) of the Public Safety Article.

Occurred: Ch. 592, Acts of 2020.

13A–902.

(e) (2) (ii) In no case may a proceeding in revision:

2. reconsider a finding of not guilty of any charge, unless there has been a finding of guilty under a specification laid under that [charge, which] **CHARGE THAT** sufficiently alleges a violation of some section of this title; or

DRAFTER'S NOTE:

Error: Incorrect word usage in § 13A–902(e)(2)(ii)2 of the Public Safety Article.

Occurred: Ch. 592, Acts of 2020.

13A–905.

(b) If, after appeal by the [Government] **GOVERNMENT** under § 13A–802 of this title, the sentence adjudged is set aside and a rehearing on sentence is ordered by the Court of Military Appeals or Supreme Court of Maryland, the court–martial may impose any sentence that is in accordance with the order or ruling setting aside the adjudged sentence, subject to such limitations as [The] **THE** Adjutant General may prescribe by regulation.

DRAFTER'S NOTE:

Error: Capitalization errors in § 13A–905(b) of the Public Safety Article.

Occurred: Ch. 592, Acts of 2020.

13A–909.

(a) (1) The senior force judge advocate shall detail a judge advocate as appellate [Government] **GOVERNMENT** counsel to represent the State in the review or appeal of cases specified in § 13A–908 of this subtitle and before any federal court when requested to do so by the State Attorney General.

(2) Appellate [Government] **GOVERNMENT** counsel must be a member in good standing of the bar of the highest court of the [State] **STATE** to which the appeal is taken.

DRAFTER'S NOTE:

Error: Capitalization errors in § 13A–909(a) of the Public Safety Article.

Occurred: Ch. 592, Acts of 2020.

13A–916.

(a) (1) In the case of a person determined under this title to be presently suffering from a mental disease or defect rendering the person mentally incompetent to the extent that the person is unable to understand the nature of the proceedings against that

1 person or to conduct or cooperate intelligently in the defense of the case, the general
2 court-martial convening authority for that person shall commit the person to the custody
3 of the [State] Attorney General.

4 (2) (i) The [State] Attorney General shall take action in accordance
5 with the State law applicable to persons incompetent to stand trial.

6 (3) (i) When the director of a facility in which a person is hospitalized
7 under paragraph (2) of this subsection determines that the person has recovered to such an
8 extent that the person is able to understand the nature of the proceedings against the
9 person and to conduct or cooperate intelligently in the defense of the case, the director shall
10 promptly transmit a notification of that determination to the [State] Attorney General, the
11 general court-martial convening authority for the person, and the person's counsel.

12 (ii) 2. If the person is no longer subject to this title, the [State]
13 Attorney General shall take any action within the authority of the [State] Attorney General
14 that the [State] Attorney General considers appropriate regarding the person.

15 (b) (4) If the court-martial fails to find by the standard specified in the State
16 law applicable to persons incompetent to stand trial that the person's release would not
17 create a substantial risk of bodily injury to another person or serious damage of property
18 of another due to a present mental disease or defect:

19 (i) the general court-martial convening authority may commit the
20 person to the custody of the [State] Attorney General; and

21 (ii) the [State] Attorney General shall take action in accordance with
22 the State law applicable to persons incompetent to stand trial.

23 (5) The State law applicable to persons incompetent to stand trial shall
24 apply in the case of a person hospitalized pursuant to paragraph (4)(ii) of this subsection,
25 except that the [state] **STATE** trial court with felony jurisdiction in the county where the
26 person is hospitalized shall be considered as the court that ordered the person's
27 commitment.

28 (c) (1) Except as otherwise provided in this subsection and in subsection (d)(1)
29 of this section, the State law most closely comparable to [18 U.S.C. 4247(d)] **18 U.S.C. §**
30 **4247(D)** shall apply in the administration of this article.

31 (2) In the application of the State law most closely comparable to [18 U.S.C.
32 4247(d)] **18 U.S.C. § 4247(D)** to hearings conducted by a court-martial under this section
33 or by, or by order of, a general court-martial convening authority under this section, the
34 reference in that [article to article 3006A of such title] **SECTION TO 18 U.S.C. § 3006A**
35 does not apply.

36 (d) (1) Title 3 of the Criminal Procedure Article applies according to the

provisions of this section notwithstanding [18 U.S.C. 4247(j)] **18 U.S.C. § 4247(J)**.

(2) If the status of a person as described in § 13A–102 of this title terminates while the person is, pursuant to this section, in the custody of the [State] Attorney General, hospitalized, or on conditional release under a prescribed regimen of medical, psychiatric, or psychological care or treatment, the provisions of this section establishing requirements and procedures regarding a person no longer subject to this title shall continue to apply to that person notwithstanding the change of status.

DRAFTER’S NOTE:

Error: Capitalization error, incorrect word usage, and erroneous cross–references in § 13A–916(a)(1), (2)(i), and (3)(i) and (ii)2, (b)(4) and (5), (c), and (d) of the Public Safety Article.

Occurred: Ch. 592, Acts of 2020.

13A–1009.

(a) A member of the [state] **STATE** military forces is guilty of desertion if the member:

(1) without authority, goes or remains absent from the member’s unit, organization, or place of duty with intent to remain away therefrom permanently;

(2) quits the member’s unit, organization, or place of duty with intent to avoid hazardous duty or to shirk important service; or

(3) without being regularly separated from one of the State military forces:

(i) enlists or accepts an appointment in the same or another one of the State military forces, or in one of the armed forces of the United States, without fully disclosing the fact that the member has not been regularly separated; or

(ii) enters any foreign armed service except when authorized by the United States.

DRAFTER’S NOTE:

Error: Capitalization error in § 13A–1009(a) of the Public Safety Article.

Occurred: Ch. 592, Acts of 2020.

13A–1014.

A commissioned officer shall be punished as a court–martial may direct if the officer uses contemptuous words against:

(5) the [Secretary] **SECRETARY** of a military department;

DRAFTER'S NOTE:

Error: Capitalization error in § 13A–1014(5) of the Public Safety Article.

Occurred: Ch. 592, Acts of 2020.

13A–1018.

A person subject to this title shall be punished as a court–martial may direct if the person:

(2) having knowledge of any other lawful order issued by a member of the State military [forces, which it] **FORCES THAT** is the person's duty to obey, fails to obey the order; or

DRAFTER'S NOTE:

Error: Grammatical error in § 13A–1018(2) of the Public Safety Article.

Occurred: Ch. 592, Acts of 2020.

13A–1021.

(a) (3) A person subject to this title is guilty of failure to suppress or report a mutiny or sedition if the person fails to do the person's utmost to prevent and suppress a mutiny or sedition being committed in the person's presence, or fails to take all reasonable means to inform the person's superior commissioned officer or commanding officer of a mutiny or sedition [which] **THAT** the person knows or has reason to believe is taking place.

DRAFTER'S NOTE:

Error: Grammatical error in § 13A–1021(a)(3) of the Public Safety Article.

Occurred: Ch. 592, Acts of 2020.

13A–1042.

(c) For purposes of subsection (b) of this section, the applicable limit on the alcohol concentration in a person's blood or breath is:

(3) in the case of a military installation that is in more than one [State] **STATE**, if those [States] **STATES** have different blood alcohol content limits under their respective [State] **STATE** laws, the blood alcohol content limit selected by the Secretary to

1 apply uniformly on that installation.

2 DRAFTER'S NOTE:

3 Error: Capitalization errors in § 13A–1042(c)(3) of the Public Safety Article.

4 Occurred: Ch. 592, Acts of 2020.

5 13A–1057.

6 (a) (2) “Covered individual or organization” means a recipient of a
7 communication specified in clauses (i) through (v) of [10 U.S.C. 1034(b)(1)(b)] **10 U.S.C.**
8 **1034(B)(1)(B)**.

9 DRAFTER'S NOTE:

10 Error: Capitalization error in § 13A–1057(a)(2) of the Public Safety Article.

11 Occurred: Ch. 592, Acts of 2020.

12 13A–1101.

13 (a) A [courts] **COURT** of inquiry to investigate any matter of concern to the [state]
14 **STATE** military forces may be convened by any person authorized to convene a general
15 court–martial, whether or not the persons involved have requested such an inquiry.

16 DRAFTER'S NOTE:

17 Error: Incorrect word usage and capitalization error in § 13A–1101(a) of the Public
18 Safety Article.

19 Occurred: Ch. 592, Acts of 2020.

20 13A–1103.

21 (a) (2) The sections of this title specified in paragraph (1) of this subsection
22 shall be carefully explained to each enlisted member at the time of, or within 30 days after,
23 the member's initial entrance into a duty status with the [state] **STATE** military forces.

24 (b) The text of this title and of the regulations prescribed under this title shall be
25 made available to a member of the [state] **STATE** military forces, on request by the
26 member, for the member's personal examination.

27 DRAFTER'S NOTE:

28 Error: Capitalization errors in § 13A–1103(a)(2) and (b) of the Public Safety Article.

Occurred: Ch. 592, Acts of 2020.

13A-1104.

(a) A member of the [state] **STATE** military forces who believes the member to have been wronged by a commanding officer, and who, on due application to that commanding officer, is refused redress, may complain to a superior commissioned officer, who shall forward the complaint to the officer exercising general court-martial jurisdiction over the officer against whom it is made.

DRAFTER'S NOTE:

Error: Capitalization error in § 13A-1104(a) of the Public Safety Article.

Occurred: Ch. 592, Acts of 2020.

13A-1105.

(a) (2) The board shall consist of [from] one to three commissioned officers and, for the purpose of that investigation, the board has power to:

(i) summon witnesses and examine them on oath;

(ii) receive depositions or other documentary evidence; and

(iii) assess the damages sustained against the responsible parties.

DRAFTER'S NOTE:

Error: Erroneous preposition in § 13A-1105(a)(2) of the Public Safety Article.

Occurred: Ch. 592, Acts of 2020.

13A-1107.

(a) Fines imposed by a military court or through imposition of [non-judicial] **NONJUDICIAL** punishment may be paid to the U.S. Treasury.

DRAFTER'S NOTE:

Error: Misspelling in § 13A-1107(a) of the Public Safety Article.

Occurred: Ch. 592, Acts of 2020.

14-8A-02.

1 The [state] **STATE**, the governing body of a county or municipal corporation, or any
2 other governmental agency within the National Capital Region may enter into a reciprocal
3 agreement for the period that it considers advisable with a federal agency, the
4 Commonwealth of Virginia, the District of Columbia, or a county or municipal corporation,
5 within or outside the [state] **STATE**, and establish, train, and implement plans to request
6 or provide mutual aid through the use of its officers, employees, and agents, together with
7 all necessary equipment, in accordance with § 7302 of the Intelligence Reform and
8 Terrorism Prevention Act of 2004 (108 P.L. 458, 118 Stat. 3638).

9 DRAFTER'S NOTE:

10 Error: Capitalization errors in § 14–8A–02 of the Public Safety Article.

11 Occurred: Ch. 607, Acts of 2005.

12 14–8A–03.

13 Any provision or part of a [state] **STATE**, local, or municipal corporation statute,
14 law, or ordinance that requires a mutual aid agreement to contain additional terms or
15 conditions is inapplicable to an agreement authorized by and entered into under this
16 subtitle.

17 DRAFTER'S NOTE:

18 Error: Capitalization error in § 14–8A–03 of the Public Safety Article.

19 Occurred: Ch. 607, Acts of 2005.

20 14–1101.

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

22 (b) “Council” means the Maryland Food System Resiliency Council.

23 (c) [“Director” means the Director of the Maryland Emergency Management
24 Agency.

25 (d)] “Food council organization” means a local food council organization that is
26 established in the State.

27 **(D) “SECRETARY” MEANS THE SECRETARY OF EMERGENCY MANAGEMENT.**

28 DRAFTER'S NOTE:

29 Error: Obsolete definition in § 14–1101(c) of the Public Safety Article.

1 Occurred: As a result of Chs. 287 and 288, Acts of 2021, which replaced references to
2 “Director of the Maryland Emergency Management Agency” with references to “Secretary
3 of Emergency Management”.

4 14–1102.

5 (b) The Council consists of the following members:

6 (3) the [Director] **SECRETARY**, or the [Director’s] **SECRETARY’S**
7 designee;

8 (10) the following members appointed by the [Director] **SECRETARY**:

9 (i) five representatives of five different food council organizations
10 who are recommended by members of food council organizations;

11 (ii) one representative of the University of Maryland Extension;

12 (iii) one representative of the University of Maryland Eastern Shore
13 Small Farm Program;

14 (iv) one representative of the Harry R. Hughes Center for
15 Agro–Ecology;

16 (v) one representative of a public school system in the State who has
17 experience in food security and local food procurement;

18 (vi) one representative of a statewide food security advocacy
19 organization;

20 (vii) one farmer in the State;

21 (viii) one owner of a food business in the State;

22 (ix) one expert in food system policy;

23 (x) one expert on racial equity in the food system;

24 (xi) one expert on food system impacts on climate and the
25 environment;

26 (xii) one expert on food nutrition and public health; and

27 (xiii) any other individual that the [Director] **SECRETARY** deems
28 appropriate.

29 (c) The [Director] **SECRETARY** shall:

(1) ensure that all five geographic areas of the State are represented by the appointed members of the Council; and

(2) appoint a successor in the event of a vacancy on the Council.

(d) (1) (i) The term of a member of the Council appointed by the [Director] **SECRETARY** is 3 years.

(g) (1) (i) The [Director] **SECRETARY**, or the [Director's] **SECRETARY'S** designee, and one member representing a food council organization who is elected in accordance with subparagraph (ii) of this paragraph shall cochair the Council.

(i) The [Maryland Emergency Management Agency] **MARYLAND DEPARTMENT OF EMERGENCY MANAGEMENT** and the University of Maryland College of Agriculture and Natural Resources shall provide staff for the Council, as deemed necessary by the cochairs.

DRAFTER'S NOTE:

Error: Obsolete terminology in § 14–1102(b)(3) and (10), (c), (d)(1)(i), (g)(1)(i), and (i) of the Public Safety Article.

Occurred: As a result of Chs. 287 and 288, Acts of 2021, which replaced references to “Director of the Maryland Emergency Management Agency” and “Maryland Emergency Management Agency” with references to “Secretary of Emergency Management” and “Maryland Department of Emergency Management”.

14–1103.

(a) The Council shall:

(2) work toward the following goals:

(i) to address the food insecurity crisis in the State resulting from the COVID–19 pandemic and resulting economic crisis by:

5. B. making recommendations to the Maryland State Department of Education and the Maryland General Assembly to implement relevant findings under item [A.] A of this item;

DRAFTER'S NOTE:

Error: Extraneous period in § 14–1103(a)(2)(i)5B of the Public Safety Article.

Occurred: Chs. 724 and 725, Acts of 2021.

Article – Public Utilities

12–124.

(c) (2) Based on information collected under [§ 12–124(b)(2) of this subtitle] **SUBSECTION (B)(2) OF THIS SECTION**, the one–call system shall promptly transmit a copy of the ticket to the Department of Transportation, an administration of the Department of Transportation, or the Maryland Transportation Authority, as applicable.

DRAFTER’S NOTE:

Error: Stylistic error in § 12–124(c)(2) of the Public Utilities Article.

Occurred: Ch. 635, Acts of 2010.

29–101.1.

(d) (1) Subject to the provisions of § 10–226(c) of the State Government Article and paragraph (2) of this subsection, the Commission’s Plumbing and Fuel Gas Board may deny a license to any applicant, reprimand a licensee, or suspend or revoke a license if the **APPLICANT OR** licensee:

(i) fraudulently or deceptively obtains or attempts to obtain a license or permit for the applicant or licensee or for another;

(ii) fraudulently or deceptively uses a license;

(iii) is guilty of gross negligence, incompetence, or misconduct while providing plumbing or fuel gas services or assisting in providing plumbing or fuel gas services;

(iv) is guilty of violating the Commission’s plumbing and fuel gas regulations adopted under Title 17, Subtitle 4 of this article while providing plumbing or fuel gas services or assisting in providing plumbing or fuel gas services; or

(v) is guilty of an unfair, abusive, or deceptive trade practice, as defined in § 13–301 of the Commercial Law Article.

DRAFTER’S NOTE:

Error: Omitted words in § 29–101.1(d)(1) of the Public Utilities Article.

Occurred: Ch. 598, Acts of 2022.

Article – Real Property

1 8–211.

2 (k) Relief under this section is conditioned [upon] ON:

3 (1) Giving proper notice, and where appropriate, the opportunity to correct,
4 as described by subsection (h) of this section[.];

5 (2) Payment by the tenant, into court, of the amount of rent required by
6 the lease, unless this amount is modified by the court as provided in subsection (m) of this
7 section[.];

8 (3) In the case of tenancies measured by a period of one month or more, the
9 court having not entered against the tenant [3] **THREE** prior judgments of possession for
10 rent due and unpaid in the 12–month period immediately prior to the initiation of the action
11 by the tenant or by the landlord[.]; AND

12 (4) In the case of periodic tenancies measured by the weekly payment of
13 rent, the court having not entered against the tenant more than [5] **FIVE** judgments of
14 possession for rent due and unpaid in the 12–month period immediately prior to the
15 initiation of the action by the tenant or by the landlord, or, if the tenant has lived on the
16 premises six months or less, the court having not entered against the tenant [3] **THREE**
17 judgments of possession for rent due and unpaid.

18 DRAFTER’S NOTE:

19 Error: Stylistic errors in § 8–211(k) of the Real Property Article.

20 Occurred: Ch. 414, Acts of 1975 and Ch. 813, Acts of 1989.

21 8–401.

22 (b) (6) Notwithstanding the provisions of paragraphs (1) through [(4)] (5) of
23 this subsection:

24 (i) In an action to repossess nonresidential property under this
25 section, service of process on a tenant:

26 1. Shall be directed to the sheriff of the appropriate county
27 or municipality; and

28 2. On plaintiff’s request, may be directed to any person
29 authorized under the Maryland Rules to serve process; and

30 (ii) In Wicomico County, in an action to repossess any premises
31 under this section, service of process on a tenant may be directed to any person authorized
32 under the Maryland Rules to serve process.

(7) (i) Notwithstanding the provisions of paragraphs [(3)] (4) through [(5)] (6) of this subsection, if the landlord certifies to the court in the written complaint required under paragraph (1) of this subsection that, to the best of the landlord's knowledge, the tenant is deceased, intestate, and without next of kin, the District Court shall issue its summons, directed to any constable or sheriff of the county entitled to serve process, and ordering the constable or sheriff to notify the occupant of the premises or the next of kin of the deceased tenant, if known, by personal service:

1. To appear before the District Court at the trial to be held on the fifth day after the filing of the complaint; and

2. To answer the landlord's complaint to show cause why the demand of the landlord should not be granted.

(e) (2) (ii) If, when the trial occurs, it appears to the satisfaction of the court, that the rent, or any part of the rent and late fees are actually due and unpaid, the court shall determine the amount of rent and late fees due as of the date the complaint was filed less the amount of any utility bills, fees, or security deposits paid by a tenant under § 7-309 of the Public Utilities Article, if the trial occurs within the time specified by subsection [(b)(3)] (B)(4) of this section.

(iii) 1. If the trial does not occur within the time specified in subsection [(b)(3)(i)] (B)(4)(I) of this section and the tenant has not become current since the filing of the complaint, the court, if the complaint so requests, shall enter a judgment in favor of the landlord for possession of the premises and determine the rent and late fees due as of the trial date.

(f) (1) (ii) If the landlord does not order a warrant of restitution within [sixty] 60 days from the **LATER OF THE** date of judgment or [from] the expiration date of any stay of [execution, whichever shall be the later] **EXECUTION**:

1. The judgment for possession shall be stricken; and

2. The judgment shall be applied to the number of judgments necessary to foreclose a tenant's right to redemption of the leased premises as established in subsection (g)(2) of this section unless the court in its discretion determines that the judgment may not apply for purposes of subsection (g)(2) of this section.

(g) (3) This subsection does not apply to any tenant against whom [3] **THREE** judgments of possession have been entered for rent due and unpaid in the 12 months prior to the initiation of the action to which this subsection otherwise would apply.

DRAFTER'S NOTE:

Error: Erroneous cross-references in § 8-401(b)(6) and (7)(i) and (e)(2)(ii) and (iii)1

and stylistic errors in § 8–401(f)(1)(ii) and (g)(3) of the Real Property Article.

Occurred: Ch. 656, Acts of 1974; Ch. 813, Acts of 1989; and Ch. 746, Acts of 2021.

8A–1701.

(e) (3) This subsection does not apply to any resident against whom **[3]**
THREE judgments of possession have been entered for rent due and unpaid in the 12
months prior to the initiation of the action to which this subsection otherwise would apply.

DRAFTER’S NOTE:

Error: Stylistic error in § 8A–1701(e)(3) of the Real Property Article.

Occurred: Ch. 813, Acts of 1989.

Article – State Finance and Procurement

3.5–303.

(a) The Secretary is responsible for carrying out the following duties:

(6) adopting by regulation and enforcing nonvisual access standards to be
used in the procurement of information technology services by or on behalf of units of State
government in accordance with subsection **[(b)] (C)** of this section;

DRAFTER’S NOTE:

Error: Erroneous cross–reference in § 3.5–303(a)(6) of the State Finance and
Procurement Article.

Occurred: As a result of Ch. 318, Acts of 2021.

5A–303.

(d) (2) (ii) The money in the **RESERVE** Fund shall be invested and
reinvested by the Treasurer, and interest and earnings shall be credited to the General
Fund.

DRAFTER’S NOTE:

Error: Omitted word in § 5A–303(d)(2)(ii) of the State Finance and Procurement
Article.

Occurred: Ch. 26, § 2, Acts of 2005.

11–203.

(a) Except as provided in subsection (b) of this section, this Division II does not apply to:

(1) procurement by:

(x) the University of Maryland, for [University College] **GLOBAL CAMPUS** Overseas Programs, if the University adopts regulations that:

1. establish policies and procedures governing procurement for [University College] **GLOBAL CAMPUS** Overseas Programs; and

2. promote the purposes stated in § 11–201(a) of this subtitle;

DRAFTER'S NOTE:

Error: Obsolete language in § 11–203(a)(1)(x) of the State Finance and Procurement Article.

Occurred: As a result of Ch. 40, Acts of 2019, which renamed the University of Maryland University College to be the University of Maryland Global Campus.

14–502.

(b) This [subsection] **SECTION** does not apply to procurements subject to Subtitle 1 of this title.

DRAFTER'S NOTE:

Error: Stylistic error in § 14–502(b) of the State Finance and Procurement Article.

Occurred: Ch. 75, Acts of 2004.

16–203.

(d) A person may be debarred from entering into a contract with the State:

(3) except as provided under item (4) of this subsection, for one of the following violations of a contract provision if the Board believes it to be serious enough to justify debarment:

(ii) within the preceding 5 years, the failure to perform or [of] unsatisfactory performance in accordance with the terms of one or more contracts, unless the failure to perform or unsatisfactory performance was caused by acts beyond the control of the person;

DRAFTER'S NOTE:

Error: Extraneous language in § 16–203(d)(3)(ii) of the State Finance and Procurement Article.

Occurred: Ch. 423, Acts of 1989.

Article – State Government

9–1A–26.

(b) (2) The proceeds from video lottery terminals and table games shall be under the control of the Comptroller and, except as provided in [subsections] **SUBSECTION** (c) [and (d)] of this section, shall be distributed as provided under § 9–1A–27 of this subtitle.

DRAFTER’S NOTE:

Error: Erroneous internal reference in § 9–1A–26(b)(2) of the State Government Article.

Occurred: Ch. 692, Acts of 2021.

9–901.

(e) “Trust” means the Maryland Veterans Trust [Fund].

DRAFTER’S NOTE:

Error: Misnomer in § 9–901(e) of the State Government Article.

Occurred: Ch. 109, Acts of 2021.

18–214.

(n) (3) Nothing in this section shall require identity proofing or credential analysis when a notary **PUBLIC** identifies a remotely located individual in accordance with subsection (a)(1)(i) or (ii) of this section.

DRAFTER’S NOTE:

Error: Omitted word in § 18–214(n)(3) of the State Government Article.

Occurred: Chs. 714 and 715, Acts of 2022.

Article – State Personnel and Pensions

3–501.

(b) The parties shall meet at reasonable times and engage in collective bargaining in good faith, including facilitating the meaningful use of a fact finder under subsection (c)(3) of this section, and to conclude a written memorandum of understanding or other written understanding as defined under [§ 3–101(d)(1)(ii)] **§ 3–101(D)(1)(I)2** of this title.

DRAFTER’S NOTE:

Error: Erroneous cross–reference in § 3–501(b) of the State Personnel and Pensions Article.

Occurred: Ch. 62, Acts of 2006.

7–207.

(d) (1) (i) In this subsection the following words have the meanings indicated.

(ii) [“Host county” means any county in which a qualified prison facility is located.

(iii)] “Adjacent county” means any county adjacent to a host county.

(III) “HOST COUNTY” MEANS ANY COUNTY IN WHICH A QUALIFIED PRISON FACILITY IS LOCATED.

(iv) “Qualified prison facility” means any new State correctional institution of 750 beds or more constructed for the Division of Correction of the Department of Public Safety and Correctional Services on or after January 1, 1985.

DRAFTER’S NOTE:

Error: Stylistic error (failure to codify the definitions in alphabetical order) in § 7–207(d)(1) of the State Personnel and Pensions Article.

Occurred: Ch. 347, Acts of 1996.

29–115.

(a) (2) This section does not apply to a disability retiree who is:

(ii) reemployed by a participating employer in any position other than a probationary status law enforcement officer, a law enforcement officer, **AS DEFINED IN § 1–101 OF THE PUBLIC SAFETY ARTICLE**, or chief[, as defined in § 3–101 of the Public Safety Article].

29–116.

(a) This section does not apply to a disability retiree:

(1) (ii) who is reemployed by a participating employer in any position other than a probationary status law enforcement officer, a law enforcement officer, **AS DEFINED IN § 1–101 OF THE PUBLIC SAFETY ARTICLE**, or chief[, as defined in § 3–101 of the Public Safety Article]; or

DRAFTER’S NOTE:

Error: Erroneous cross–references in §§ 29–115(a)(2)(ii) and 29–116(a)(1)(ii) of the State Personnel and Pensions Article.

Occurred: As a result of Ch. 59, Acts of 2021, which entirely repealed the definitions in § 3–101 of the Public Safety Article and added one of the preexisting definitions to § 1–101 of the Public Safety Article.

Article – Tax – General

7.5–201.

(a) Each person that, in a calendar year, has annual gross revenues derived from digital advertising services in the State of at least \$1,000,000 shall complete, under oath, and file with the Comptroller a return, on or before April 15 **OF** the next year.

DRAFTER’S NOTE:

Error: Grammatical error in § 7.5–201(a) of the Tax – General Article.

Occurred: Ch. 37, Acts of 2021.

8–204.

(b) A financial institution shall add to its net earnings computed under subsection (a) of this section the amounts that, even if otherwise allowed to be subtracted under § 10–307(b) and (g)(1) and (4) of this article, equal:

(5) interest excluded from federal gross income under § 103 of the Internal Revenue Code and derived from a bond:

(i) issued by a state or a public corporation, special district, **OR** political subdivision of a state or their instrumentalities; or

DRAFTER’S NOTE:

Error: Omitted conjunction in § 8–204(b)(5)(i) of the Tax – General Article.

Occurred: Ch. 2, Acts of 1988.

8–417.

(a) A public service company may claim a credit against the public service company franchise tax in an amount equal to:

(1) **[.002] 0.002** cents for each kilowatt hour of electricity in excess of 500 million up to 1,500 million kilowatt hours during a calendar year delivered for final consumption to a single industrial customer for use in a production activity at the same location in the State; and

DRAFTER’S NOTE:

Error: Stylistic error in § 8–417(a)(1) of the Tax – General Article.

Occurred: Chs. 5 and 6, Acts of 1999.

10–204.

(c) (2) If exempted by federal law or by treaty from federal but not State tax on income, the addition under subsection (a) of this section includes interest or dividends attributable to an obligation of:

(ii) an authority, **A** commission, **AN** instrumentality, **A** possession, or **A** territory of the United States or of a foreign government.

DRAFTER’S NOTE:

Error: Grammatical error in § 10–204(c)(2)(ii) of the Tax – General Article.

Occurred: Ch. 2, Acts of 1988.

10–208.

(s) (1) **(I)** In this subsection [the following words have the meanings indicated.

(2) (i) **“Qualified], “QUALIFIED** conservation program expenses” means amounts expended by an individual during the taxable year related to an application for the Forest Conservation and Management Program within the Department of Natural Resources.

(ii) **“Qualified** conservation program expenses” includes the costs associated with hiring a professional land surveyor and the preparation of a land management program for the conserved property.

1 **[(3)] (2)** The subtraction allowed under subsection (a) of this section
2 includes up to \$500 of qualified conservation program expenses paid by an individual who
3 applies to enter into a forest conservation and management plan with the Department of
4 Natural Resources, if the application is approved by the Department.

5 DRAFTER'S NOTE:

6 Error: Stylistic error in § 10–208(s) of the Tax – General Article.

7 Occurred: Ch. 693, Acts of 2012.

8 10–733.

9 (a) (2) (i) **[1.]** “Company” means any entity of any form duly organized
10 and existing under the laws of any jurisdiction for the purpose of conducting business for
11 profit.

12 **[2.] (II)** “Company” includes an entity that becomes duly
13 organized and existing under the laws of any jurisdiction for the purpose of conducting
14 business for profit within 4 months of receiving a qualified investment.

15 **[(ii)] (III)** “Company” does not include a sole proprietorship.

16 DRAFTER'S NOTE:

17 Error: Tabulation error in § 10–733(a)(2) of the Tax – General Article.

18 Occurred: Ch. 578, Acts of 2018.

19 10–752.

20 (c) (5) (ii) If the aggregate amount of tax credit certificates issued under
21 this section during a taxable year **[total] TOTALS** less than the amount authorized under
22 this paragraph, any excess amount may be issued under tax credit certificates in the next
23 taxable year.

24 DRAFTER'S NOTE:

25 Error: Grammatical error in § 10–752(c)(5)(ii) of the Tax – General Article.

26 Occurred: Chs. 153 and 154, Acts of 2021.

27 10–912.

28 (a) (6) “Transfer pursuant to a deed in lieu of foreclosure” includes:

29 (i) a transfer by the owner of the property to:

2. with respect to a deed in lieu of foreclosure of a deed of trust, the holder of the debt or other obligation secured by the deed of trust or any designee, nominee, or assignee of the holder of the debt or other obligation secured by the deed of trust; **AND**

DRAFTER'S NOTE:

Error: Omitted conjunction in § 10–912(a)(6)(i)2 of the Tax – General Article.

Occurred: Ch. 410, Acts of 2004.

Article – Tax – Property

7–208.

(a) (3) (i) “Disabled veteran” means an individual who:

2. has been declared by the [Veterans’ Administration] **U.S. DEPARTMENT OF VETERANS AFFAIRS** to have a permanent 100% service connected disability that results from blindness or other disabling cause that:

A. is reasonably certain to continue for the life of the veteran;
and

B. was not caused or incurred by misconduct of the veteran.

(6) “Surviving spouse” means an individual who has not remarried and who:

(iii) receives Dependency and Indemnity Compensation from the [United States] **U.S. Department of Veterans Affairs**.

DRAFTER'S NOTE:

Error: Misnomer in § 7–208(a)(3)(i)2 and (6)(iii) of the Tax – Property Article.

Occurred: As a result of the federal Department of Veterans Affairs Act of 1988, which renamed the Veterans’ Administration to be the U.S. Department of Veterans Affairs, and Ch. 296, Acts of 2006.

14–880.

(a) Each year, the Department shall issue a report that includes:

(1) an analysis and summary of the information collected through the survey under § 14–879 of this [part] **SUBTITLE**; and

1 DRAFTER'S NOTE:

2 Error: Stylistic error in § 14–880(a)(1) of the Tax – Property Article.

3 Occurred: Ch. 440, Acts of 2020.

4 **Chapter 75 of the Acts of 2021**

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
6 1, 2021. [It shall remain effective for a period of 2 years and 1 month and, at the end of
7 June 30, 2023, this Act, with no further action required by the General Assembly, shall be
8 abrogated and of no further force and effect.]

9 DRAFTER'S NOTE:

10 Error: Obsolete language in Ch. 75, Acts of 2021.

11 Occurred: As a result of Ch. 663, Acts of 2022, which, in relevant part, repealed the
12 June 30, 2023, termination date of the authority of a county or municipal corporation under
13 § 14–811 of the Tax – Property Article to withhold from tax sale owner–occupied residential
14 property.

15 **Chapter 150 of the Acts of 2022**

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
17 1, 2022. It shall remain effective for a period of 1 year and 9 months and, at the end of
18 [February 28, 2023] **MARCH 1, 2024**, this Act, with no further action required by the
19 General Assembly, shall be abrogated and of no further force and effect.

20 DRAFTER'S NOTE:

21 Error: Incorrect date in Ch. 150, Acts of 2022.

22 Occurred: As a result of Ch. 150, Acts of 2022. Correction suggested by the Attorney
23 General in the Bill Review Letter for S.B. 881 of 2022 (footnote 5), dated April 19, 2022.

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

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

30 SECTION 5. AND BE IT FURTHER ENACTED, That the publishers of the
31 Annotated Code of Maryland, subject to the approval of the Department of Legislative

1 Services, shall make any changes in the text of the Annotated Code necessary to effectuate
2 any termination provision that was enacted by the General Assembly and has taken effect
3 or will take effect prior to October 1, 2023. Any enactment of the 2023 Session of the General
4 Assembly that negates or extends the effect of a previously enacted termination provision
5 shall prevail over the provisions of this section.

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

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