

12-423. ENFORCEMENT OF SUBTITLE.

THE STATE'S ATTORNEY FOR THE COUNTY IN WHICH THE VIOLATION OCCURS OR THE ATTORNEY GENERAL MAY PROSECUTE ANY VIOLATION OF THIS SUBTITLE.

REVISOR'S NOTE: This section is new language derived without substantive change from the last clause of Art. 11, § 221.

The present statement that the State's Attorney or Attorney General "shall" file a complaint is deleted as misleading given the prerogatives of these officials.

The last sentence of present Art. 11, § 219(b), which authorizes the Bank Commissioner to report a violation to the Secretary of Licensing and Regulation and authorizes the Secretary, in turn, to request the Attorney General to prosecute the violation, is deleted as unnecessary since the Bank Commissioner and Secretary would have this authority in any event.

The term "county" is defined in § 1-101 of this article.

12-424. PENALTIES.

ANY PERSON WHO VIOLATES ANY PROVISION OF THIS SUBTITLE IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$1,000 OR IMPRISONMENT NOT EXCEEDING 5 YEARS OR BOTH.

REVISOR'S NOTE: This section is new language derived without substantive change from the first clause of Art. 11, § 221.

New language is added to indicate that a violation is classified as a "misdemeanor".

The present minimum penalty of \$500 is deleted to conform to the statement of legislative policy contained in Art. 27, § 643, which sets forth the general rule that, notwithstanding a prescribed minimum penalty, the court nevertheless may impose a lesser penalty of the same character.

GENERAL REVISOR'S NOTE:

In revising this subtitle, the Commission to Revise the Annotated Code deleted present Art. 11, §§ 207, 222, and 223.

Present Art. 11, § 207 merely states the intention of the General Assembly to place this law "in the Annotated Code of Maryland" and, as such, is unnecessary.
