

## SUBTITLE 2. CRIMINAL PENALTIES.

## 14-201. CRIMINAL PENALTIES.

ANY PERSON WHO VIOLATES ANY PROVISION OF THIS DIVISION I OR OF ANY REGULATION ADOPTED UNDER IT IS GUILTY OF A MISDEMEANOR AND, ON CONVICTION, IS SUBJECT TO A FINE NOT EXCEEDING \$3,000 OR IMPRISONMENT NOT EXCEEDING 6 MONTHS OR BOTH.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 64A, § 41.

The former minimum penalty of \$50 is deleted in light of Art. 27, § 643, which provides that, notwithstanding a statutory minimum penalty, a court may impose a lesser penalty of the same character.

The former phrase "in the discretion of the court" is deleted as surplusage.

Defined term: "Person" § 1-101

GENERAL REVISOR'S NOTE:

Former Art. 64A, § 42, which provided for a court-appointed special prosecutor in case the State's Attorney failed to bring an action, is deleted as obsolete and unnecessary in light of the broad authority of the Attorney General to prosecute specific cases on request of the Governor. See Md. Const., Art. V, § 3(a)(2). See also Babbitt v. State, 294 Md. 134 (1982), which suggests that the appointment by a court of a special prosecutor may violate the separation of powers contained in Article 8 of the Maryland Declaration of Rights.

TITLE 15. RESERVED.

TITLE 16. RESERVED.

TITLE 17. RESERVED.

TITLE 18. RESERVED.

TITLE 19. RESERVED.

GENERAL REVISOR'S NOTE TO DIVISION I

This Division I, which is the first of two major divisions of the State Personnel and Pensions Article, revises the general laws that govern State employment. Division II of the article will contain the revision of the State retirement and pension laws.

The Department of Legislative Reference is charged with revising the law in a clear, concise, and organized manner, without changing the effect of the law. One precept of revision has been that, once something is said, it should be said in the same way every time. To that end, the State Personnel Article Review Committee has conformed the language and organization of this Division I of the State Personnel and Pensions Article to that of the previously revised articles to the extent possible.