

May in each and every year and who continues to perform or offers to perform any act or acts prohibited by this sub-title to others than licensees shall pay in addition to the fees herein prescribed a sum equal to 10% of the prescribed annual fee for each month or fractional part thereof after the first month such licensee fails to so apply for the renewal of his or her license.

Any such licensee who fails or refuses, after 30 days written notice from the Commission, to so apply and pay the fee and all penalties imposed by this section shall be deemed to be operating without a license and subject to the penalties provided for in Section 362.

(b) Every license issued by the Commission shall expire annually on the 30th day of April in each year.

1939, ch. 351, sec. 304.

362. (Penalties.) Any person, acting for himself or herself or for or on behalf of any co-partnership, association or corporation, not specifically excepted from this provision of this sub-title, who shall after June 1, 1939, engage in the business or act in the capacity of a real estate broker or real estate salesman within this State, without a license or shall carry on or continue such business or employment after the suspension or revocation of any such license to him or it issued, or shall employ any person as a real estate salesman, to whom a license as real estate salesman had not been issued, or whose license as such shall have been revoked or suspended, shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be sentenced for the first offense to pay a fine of not less than fifty dollars (\$50) nor more than one hundred dollars (\$100), and for a second and any subsequent offense shall be sentenced to pay a fine of not less than five hundred dollars (\$500) nor more than one thousand dollars (\$1,000) or undergo imprisonment for a period of not more than one (1) year, or both in the discretion of the court. The following Counties: St. Mary's, Calvert, Dorchester, and Anne Arundel, shall be exempt from all the provisions of this sub-title.

1939, ch. 351, sec. 305.

363. (Constitutionality.) If any section, sub-section, sentence, clause, phrase or requirement of this sub-title is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions thereof. The Legislature hereby declares that it would have passed this sub-title, each section, sub-section, clause, phrase and requirement thereof, irrespective of the fact that any one or more sections, subsections, clauses, phrases or requirements be declared unconstitutional; provided, however, that nothing in this sub-title shall apply to Harford, Queen Anne's and Worcester Counties.¹

SEC. 2. And be it further enacted, That the provisions of this Act as to license fees shall not become effective until May 1, 1940, as to persons, firms or corporations who have secured licenses prior to June 1, 1939, in accordance with the provisions of the law existing prior to said date.

¹ Sec. 2, ch. 351, 1939, reads as follows: