

12-805.

~~(A) FOR EACH KNOWING AND WILLFUL VIOLATION OF THIS SUBTITLE THE SECRETARY MAY ASSESS A CIVIL PENALTY AGAINST ANY FINANCIAL INSTITUTION AND ANY OFFICER, EMPLOYEE, AGENT, OR DIRECTOR OF THE INSTITUTION WHO KNOWINGLY AND WILLFULLY FAILS TO KEEP RECORDS AS REQUIRED OR TO FILE REPORTS AS REQUIRED FOR EACH KNOWING AND WILLFUL VIOLATION OF THIS SUBTITLE.~~

(B) (1) THE CIVIL PENALTY MAY NOT EXCEED \$50 FOR EACH DAY THE VIOLATION CONTINUES ~~AND AT EACH OFFICE, BRANCH, OR PLACE OF BUSINESS AT WHICH A VIOLATION OCCURS OR CONTINUES.~~

(2) FOR PURPOSES OF THIS SECTION, A SEPARATE VIOLATION OCCURS AT EACH OFFICE, BRANCH, OR PLACE OF BUSINESS WHERE A VIOLATION OCCURS OR CONTINUES.

(3) THE TOTAL CIVIL PENALTY MAY NOT EXCEED \$1,000.

(C) IN THE EVENT OF THE FAILURE OF ANY PERSON TO PAY ANY PENALTY ASSESSED UNDER THIS SECTION, A CIVIL ACTION FOR RECOVERY OF THE PENALTY MAY BE BROUGHT BY THE STATE AGAINST THE VIOLATOR PERSON.

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~~ANY OFFICER, EMPLOYEE, AGENT, OR DIRECTOR OF A FINANCIAL INSTITUTION WHO KNOWINGLY AND WILLFULLY FAILS TO KEEP RECORDS OF TRANSACTIONS OR TO REPORT TRANSACTIONS AS REQUIRED BY THIS SUBTITLE IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE OF NOT MORE THAN \$1,000.~~

~~12-807.~~

IF THE INFORMATION REQUIRED BY § 12-803(A) OF THIS SUBTITLE HAS BEEN AVAILABLE TO THE DEPARTMENT FROM A FEDERAL AGENCY, A FINANCIAL INSTITUTION MAY NOT BE SUBJECT TO THE CIVIL ~~OR CRIMINAL~~ PENALTIES PROVIDED FOR IN THIS SUBTITLE UNLESS THE FINANCIAL INSTITUTION HAS BEEN NOTIFIED BY THE DEPARTMENT THAT:

(1) THE INFORMATION IS NO LONGER AVAILABLE; AND

(2) THE FINANCIAL INSTITUTION IS NOW REQUIRED TO PROVIDE THE INFORMATION TO THE DEPARTMENT.

#### Article - Financial Institutions

1-303.

This subtitle does not prohibit: