

or who shall fail to secure insurance by one of such methods or who fails to pay compensation to an injured employee, or in the case of death, [his] THE EMPLOYEE'S dependents, in accordance with the award of the Commission, shall be guilty of a misdemeanor, and shall be subject to a fine of not less than [five hundred] \$500 nor more than [five thousand dollars] \$5,000 or by imprisonment for not more than one year, or by both such fine or imprisonment; and in any case where the employer is a corporation, the officer of the corporation having responsibility for the general management of the corporation in the State shall be liable to such fine and imprisonment as herein provided. Any fine levied against any employer failing or refusing to secure insurance as required by this article shall be paid into the State treasury and credited to the Commission, and be used for the payment, in whole or in part, of any award made against said employer by the Commission. All disbursements shall be made in the same manner as other monies of the Commission are disbursed. Any part of the said fine not required for payment of an award as herein provided shall be transferred to the General Fund of the State. The court may remit any such penalty only if the employer in default assures the compensation as required by this article, and has paid or secured to be paid any compensation or other benefits under this article which may have been awarded against [him] THE EMPLOYER.

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(a) Notwithstanding any other provision of this article, when a claim for compensation is filed by an employee, or in case of death, by his dependents, and the employer has failed (1) to secure the payment of compensation in accordance with § 16 of this article, (2) EXCEPT FOR SELF-INSURED COUNTIES AND, ~~BOARDS OF EDUCATION~~, MUNICIPAL CORPORATIONS, ~~AND BOARDS OF EDUCATION AND SELF-INSURANCE POOLS AUTHORIZED BY § 16A OF THIS ARTICLE~~, to make deposit of security in an amount sufficient to cover a claim for compensation when filed by an employee but in no event less than \$100,000 in accordance with § 16A of this article and (3) to make payment of compensation according to the terms of any award within 30 days thereafter, then, unless an application for review has been timely made or a notice of appeal has been timely served in the interim, the award shall be payable out of the Fund created under this subtitle in the manner and subject to the conditions hereinafter set forth.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1990.

Approved May 29, 1990.

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CHAPTER 436  
(Senate Bill 186)

AN ACT concerning

**Creation of a State Debt – Anne Arundel County Detention Center**