

Attorney of Howard County in office on the effective date of this Act, but the provisions of this Act concerning the salary of the State's Attorney shall take effect at the beginning of the next following term of office.

SEC. 3. *And be it further enacted*, That this Act shall take effect July 1, 1970.

Approved April 15, 1970

CHAPTER 193
(House Bill 835)

AN ACT to repeal and re-enact, with amendments, Section 230A of Article 27 of the Annotated Code of Maryland (~~1967 Replacement Volume and 1969 Supplement~~), title "Crimes and Punishments," subtitle "Crimes and Punishments," subheading "Fraud—Welfare," to make knowledge on the part of the person accused, a necessary element in the charge of failing to disclose to the welfare agency a change in household or financial condition ~~and to require that a person under investigation for this crime, be advised of his constitutional rights at the inception of the investigation before any and all evidence obtained from the person under investigation can be admitted in subsequent prosecution.~~

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That Section 230A of Article 27 of the Annotated Code of Maryland (~~1967 Replacement Volume and 1969 Supplement~~), title "Crimes and Punishments," subtitle "Crimes and Punishments," subheading "Fraud—Welfare," be and it is hereby repealed and re-enacted, with amendments, to read as follows:

230A.

(~~a~~) Whoever knowingly obtains, or attempts to obtain, or aids, or abets any person to obtain by means of a wilfully false statement or representation, or by ~~the failure~~ *knowingly failing* to disclose to the welfare agency a change in household or financial condition, or by impersonation, or other fraudulent device, public assistance to which he is not entitled or assistance greater than that to which he is justly entitled, shall, upon conviction, be deemed guilty of a misdemeanor and said person shall make full restitution of the monies unlawfully obtained and shall be fined not more than one thousand dollars or imprisoned for not more than three years or both fined and imprisoned in the discretion of the court.

(~~b~~) *At the inception of any investigation by the welfare agency into any suspected violation of subsection (a), the person under investigation shall be informed of his right to counsel and the right to remain silent. Failure to so inform shall bar from admission any and all evidence obtained from the person under investigation in any subsequent prosecution.*

SEC. 2. *And be it further enacted*, That this Act shall take effect July 1, 1970.

Approved April 15, 1970