

41.

*(h) The provisions of subsection (a) of this section do not apply in Anne Arundel County to licenses issued under this Article for premises operated as motel-restaurant complexes or hotel-restaurant complexes having One Hundred (100) rooms or more.*

SEC. 2. *And be it further enacted, That this Act shall take effect July 1, 1971.*

Approved May 24, 1971.

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CHAPTER 717

(House Bill 761)

AN ACT to add new Section 136B to Article 43 of the Annotated Code of Maryland (1965 Replacement Volume and 1970 Supplement), title "Health," subtitle "Practitioners of Medicine," to follow immediately after Section 136A thereof, relating to the procurement, processing, storage, distribution and/or use of blood and blood derivatives for transfusions and ~~designating it as a service, and not a sale, to which~~ PROVIDING THAT no implied warranties of merchantability or fitness attach, nor ~~to which~~ DOES strict tort liability ~~applies~~ APPLY, AS TO THE VIRUS OF SERUM HEPATITIS.

SECTION 1. *Be it enacted by the General Assembly of Maryland, That new Section 136B be, and it is hereby added to Article 43 of the Annotated Code of Maryland (1965 Replacement Volume and 1970 Supplement), "Health," subtitle "Practitioners of Medicine," to follow immediately after Section 136A thereof, and to read as follows:*

136B.

~~Neither AS TO THE VIRUS OF SERUM HEPATITIS, NEITHER strict liability in tort nor the implied warranties of merchantability and fitness shall be applicable to the procurement, processing, storage, distribution, and/or use of whole blood, plasma, blood products, and blood derivatives for the use of injecting or transfusing the same or any of them into the human body for any purpose whatsoever. Such procurement, processing, storage, distribution, and/or use constitutes the rendering of a service by every person, firm, or corporation participating therein, whether or not any remuneration is paid therefor, and does not constitute a sale.~~

SEC. 2. *And be it further enacted, That this Act shall take effect July 1, 1971.*

Approved May 24, 1971.