

129A.

(a) No person, firm, partnership, association or corporation, or agent or employee thereof, shall engage in OR ADVERTISE any ABORTION REFERRAL business or service for profit, which in whole or in part includes the referral or recommendation of persons to a physician, hospital, health related facility, or dispensary. ~~for any form of medical care or treatment of any ailment or physical condition. AN ABORTION. The imposition of a fee or charge for any such referral or recommendation shall create a presumption that the business or service is engaged in for profit.~~

(b) No physician, hospital, health related facility or dispensary shall enter into a contract or other form of agreement to ~~accept for medical care or treatment AN ABORTION any person referred or recommended for such care or treatment by~~ WITH a medical referral service business located in or doing business in another state if the medical referral service business would be prohibited under this section if the business were located in or doing business in this state.

(c) A violation of the provisions of this section shall constitute a misdemeanor and upon conviction thereof may be punished by imprisonment for ~~not longer than one year or a fine of not more than five thousand dollars. or by both such fine and imprisonment.~~

(d) ~~Whenever there shall be a violation of this section, an application also may be made by the Attorney General in the name of the State of Maryland to a court having jurisdiction to issue an injunction, and upon notice to the defendant of not less than five days, to enjoin and restrain the continuance of such violation; and if it shall appear to the satisfaction of the court that the defendant has, in fact, violated this section, an injunction may be issued by such court enjoining and restraining any further violation, without requiring proof that any person has, in fact, been injured or damaged thereby. In connection with any such proposed application, the Attorney General is authorized to take proof and make a determination of the relevant facts and to issue subpoenas.~~

~~(e)~~ (D) The provisions of this ~~article~~ SECTION shall not apply to any individual, agency, association or corporation not organized or incorporated for pecuniary profit or financial gain or to any organization or association which is exempt from taxation pursuant to Section 501 (c) of Title 26 of the United States Code, constituting the Internal Revenue Code of 1954, as amended.

SEC. 2. And be it further enacted, That this Act shall take effect July 1, 1972.

Approved May 26, 1972.

CHAPTER 420
(Senate Bill 506)

AN ACT to repeal and re-enact with amendments, Subtitle 21-16 of the Code of Public Local Laws of Baltimore City (1969 Edi-