

BY SECRETARY.

NOTWITHSTANDING ANY OTHER PENALTY PROVIDED BY THIS ARTICLE, ANY OFFICER OR EMPLOYEE OF THE STATE WHO MAKES PUBLIC ANY INFORMATION OBTAINED BY THE SECRETARY WITHOUT ITS AUTHORITY, UNLESS DIRECTED BY A COURT, IS GUILTY OF A MISDEMEANOR, AND, UPON CONVICTION, IS SUBJECT TO A FINE NOT EXCEEDING \$5,000, OR IMPRISONMENT NOT EXCEEDING ONE YEAR, OR BY BOTH, WITH COSTS IMPOSED IN THE DISCRETION OF THE COURT.

REVISOR'S NOTE: Subsection (a) is new language derived from Art. 43, §197-22(c) (2) of the Code. The references in the present language to "willful" acts is omitted; the proposed section speaks, instead, of knowing acts. New language providing that the court has discretion to impose court costs is added throughout this section to maintain consistency with the uniform penalty provisions of this title. New language also is added throughout this section to indicate that the penalties of this section supersede any penalty provided by the uniform penalty provisions of this Article.

Subsection (b) presently appears as Art. 43, §197-22(c) (1) of the Code. New language is added to indicate that any person who violates this subsection is guilty of a misdemeanor.

Subsection (c) presently appears as Art. 43, §197-22(c) (4) of the Code.

The only other changes made are in style.

SEC. 4-229. PENALTY FOR FAILURE TO FILE ANNUAL OR SPECIAL REPORT; PROSECUTION BY STATE'S ATTORNEY.

(A) PENALTY FOR FAILURE TO FILE ANNUAL OR SPECIAL REPORT.

NOTWITHSTANDING ANY OTHER PENALTY PROVIDED BY THIS ARTICLE, IF ANY PERSON REQUIRED TO FILE ANY ANNUAL OR SPECIAL REPORT FAILS TO DO SO WITHIN 30 DAYS AFTER RECEIVING NOTICE OF DEFAULT FROM THE SECRETARY, HE SHALL BE FINED \$100 FOR EACH DAY HE FAILS TO FILE. THE FORFEITURE SHALL BE RECOVERABLE IN A CIVIL SUIT IN THE NAME OF THE STATE BROUGHT IN THE COUNTY WHERE THE