

crime infamous 'which would not otherwise have been infamous'".

Subsection (c) is new language derived from Art. 57, §12. The section presently applies to Blasphemy which was recently declared unconstitutional as violating the First Amendment. See State v. West, 9 Md. App. 270 (1970). The "one month" period is changed to "30 days" to insure that persons who drink in January are treated the same as those who drink in February.

SEC. 5-107. FINES, PENALTIES, AND FORFEITURES.

A PROSECUTION OR SUIT FOR A FINE, PENALTY, OR FORFEITURE SHALL BE INSTITUTED WITHIN ONE YEAR AFTER THE OFFENSE WAS COMMITTED.

REVISOR'S NOTE: This section is new language derived from the quasi-criminal portion of Art. 57, §11. It is separated from the misdemeanor provisions to avoid having one section deal with both criminal and non-criminal subjects.

This section applies to "fines, penalties, and forfeitures" for violations of the code not expressly made criminal.

SEC. 5-108. INJURY TO PERSON OR PROPERTY OCCURRING 20 YEARS AFTER COMPLETION OF IMPROVEMENT TO REALTY NOT ACTIONABLE; EXCEPTION.

(A) INJURY RESULTING FROM IMPROVEMENT TO REALTY.

EXCEPT AS PROVIDED BY THIS SECTION, NO CAUSE OF ACTION FOR DAMAGES ACCRUES AND A PERSON MAY NOT SEEK CONTRIBUTION OR INDEMNITY FOR DAMAGES INCURRED WHEN WRONGFUL DEATH, PERSONAL INJURY, OR INJURY TO REAL OR PERSONAL PROPERTY RESULTING FROM THE DEFECTIVE AND UNSAFE CONDITION OF AN IMPROVEMENT TO REAL PROPERTY OCCURS MORE THAN 20 YEARS AFTER THE DATE THE ENTIRE IMPROVEMENT FIRST BECOMES AVAILABLE FOR ITS INTENDED USE.

(B) EXCEPTION.

THIS SECTION DOES NOT APPLY IF THE DEFENDANT WAS IN ACTUAL POSSESSION AND CONTROL OF THE PROPERTY AS OWNER, TENANT, OR OTHERWISE WHEN THE INJURY OCCURRED.