

(4) CONDUCT THAT VIOLATES THE PRACTICE LIMITATIONS OF § 4-603 OF THIS TITLE.

(B) WHO MAY COMMENCE ACTION.

AN ACTION UNDER THIS SECTION MAY BE BROUGHT BY:

- (1) THE BOARD, IN ITS OWN NAME;
- (2) THE ATTORNEY GENERAL, IN THE NAME OF THIS STATE; OR
- (3) A STATE'S ATTORNEY, IN THE NAME OF THIS STATE.

(C) VENUE.

AN ACTION UNDER THIS SECTION SHALL BE BROUGHT IN THE COUNTY WHERE THE DEFENDANT:

- (1) RESIDES; OR
- (2) ENGAGES IN THE ACTS SOUGHT TO BE ENJOINED.

(D) ACTUAL DAMAGE NOT REQUIRED.

PROOF OF ACTUAL DAMAGE OR THAT ANY PERSON WILL SUSTAIN ANY DAMAGE IF AN INJUNCTION IS NOT GRANTED IS NOT REQUIRED FOR AN ACTION UNDER THIS SECTION.

(E) ACTION NOT EXCLUSIVE.

AN ACTION UNDER THIS SECTION IS IN ADDITION TO AND NOT INSTEAD OF CRIMINAL PROSECUTION FOR UNAUTHORIZED PRACTICE OF DENTISTRY UNDER § 4-601 OF THIS TITLE OR DISCIPLINARY ACTION UNDER § 4-314 OF THIS SUBTITLE.

REVISOR'S NOTE: This section is new language derived without substantive change from Art. 32, § 25A.

As to subsection (a) of this section, present Art. 32, § 25A(d) defines "unauthorized practice of dentistry" to include any "violation of any of the prohibitory sections" of the first subtitle of Art. 32. The revision expressly states the four causes of action that violate the first subtitle of Art. 32 -- i.e. -- the prohibitory sections that relate to dental laboratory work, grounds for disciplining licensed dentists, practice as a business entity or under the name of a business entity, and unauthorized practice of dentistry.

The provisions in present Art. 32, § 25A(a) that refer to judicial jurisdiction and to the pleadings, practice, and procedure in actions under this section are deleted as needlessly repetitive of independent provisions of law.