

A PERSON WHO VIOLATES ANY PROVISION OF SUBTITLE 4 OF THIS TITLE, WHICH RELATES TO DENTAL LABORATORY WORK, OR WHO ADVERTISES A DENTAL APPLIANCE IN VIOLATION OF § 4-502(C) OF THIS TITLE IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$2,000 OR IMPRISONMENT IN JAIL NOT EXCEEDING 6 MONTHS.

REVISOR'S NOTE: This section is new language derived without substantive change from Art. 32, §§ 21, 25(d), and 33.

In subsection (a) of this section, the present reference to the matter being tried in the Criminal Court of Baltimore City or the circuit courts of the respective counties is deleted as obsolete and as having been repealed implicitly with the institution of the district courts in this State.

Also in subsection (a) of this section, the words "State penitentiary" are substituted for "penitentiary" to conform to similar provisions in other revised articles. See, e.g., FI § 5-804.

In subsections (a) and (c) of this section, the references to the State penitentiary and "jail" are retained because, although under Art. 27, § 690 of the Code prisoners now are sentenced to the jurisdiction of the Division of Corrections, that section did not abrogate the concept of "penitentiary misdemeanors". For penitentiary misdemeanors and felonies, there is no statute of limitations, while for misdemeanors "not made punishable by confinement in the penitentiary by statute" there is a 1-year limitation. See CJ § 5-106 and Mullins v. State, 12 Md. App. 222 (1971).

In subsection (b) of this section, the words "aid or abet" are substituted for "permit" in present Art. 32, § 33, for clarity.

As to present Art. 32, § 33, see also § 4-601(b) of this subtitle.

The Commission to Revise the Annotated Code calls the attention of the General Assembly to the penalty scheme of this subtitle. This revision accurately preserves the scheme of present Art. 32, in which any violation of §§ 25 and 26 through 34 is a misdemeanor, but in which only certain narrowly defined violations of §§ 1 through 24 and 25A are misdemeanors. This scheme seems to be illogical and likely is the product of oversight rather than considered differentiation. The General Assembly may wish