

The only other changes are in style.

NOTE TO THE GENERAL ASSEMBLY: This section consolidates into one section the numerous and diverse criminal provisions that appear throughout the Pharmacy law in present Art. 43.

This approach was taken only after deliberating extensively and conferring with the members of the General Assembly who are assigned as Legislative Consultants to the Health Committee of the Commission to Revise the Annotated Code. Compelled by the haphazard and illogical approach found in the present law, the Commission decided to include in this draft significant substantive changes for your consideration.

The criminal penalties in the present Pharmacy law are inexplicably diverse. However, all of the present penalties are extremely minor as compared to the penalties set forth in the other health occupation laws. In the present Pharmacy law, there is no coherent scheme as to the severity of the penalty for a given violation, and the present provisions do not distinguish in severity between the most serious and the most minor offenses.

As revised in this section, the Commission proposes to provide a standard \$100 penalty for the more minor criminal offenses under the title. Then, in conformity with the approach taken under the present law for the other health occupations, the Commission proposes a more severe penalty for the most serious violations under this title. Duplicating the comparable penalty in the present subtitle on Occupational Therapists, enacted in 1978, the proposed penalty is a fine not exceeding \$1,000 or imprisonment not exceeding 1 year or both.

The Commission also notes that subsection (a)(7) of this section proposes to apply the \$100 penalty provision under subsection (a) of this section to a violation of § 12-506 of this title, which sets forth affirmative requirements regarding the storage of drugs, medicines, and devices.

The substantive revision of this section was openly and fully deliberated at public meetings, where it received no opposition as to either the concept or the proposed specifics. If the General Assembly accepts this revision, the revisor's note to this section will indicate that substantive changes have been made.