

Defined terms: "Department" § 1-101  
"Includes"/"including" § 1-101

20-206. PENALTIES.

A PERSON WHO VIOLATES ANY PROVISION OF THIS-PART PART I OF THIS SUBTITLE IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$5,000 OR IMPRISONMENT NOT EXCEEDING 1 YEAR OR BOTH.

REVISOR'S NOTE: This section is new language that combines, without substantive change, former Article 43, §§ 129A(c) and 129B(b).

Defined term: "Person" § 1-101

20-207. RESERVED.

20-208. RESERVED.

PART II. RESERVED.

GENERAL REVISOR'S NOTE:

The Commission to Revise the Annotated Code decided not to revise Article 43, §§ 137 and 139 due to the controversy concerning the constitutional issues of these provisions; but to leave these provisions in their present place for later disposition and reserve Part II of this subtitle for their future placement.

In 62 Op. Att'y Gen. 3 (1977), the Attorney General rendered an opinion on the impact of the Supreme Court decisions in Roe v. Wade, 410 U.S. 113 (1973), and Doe v. Bolton, 410 U.S. 179 (1973). The opinion cites Roe v. Wade, 410 U.S. 113 (1973); Doe v. Bolton, 410 U.S. 179 (1973); Vuitch v. Hardy, 473 F. 2d 1370 (1973); State v. Ingel, 18 Md. App. 514 (1973); and Shell Oil Company v. Supervisors of Assessments, 276 Md. 36 (1975). After a review of these cases, the following summary was made:

{ T } he effect of the decisions in Roe v. Wade, supra, and Doe v. Bolton, supra, is that: (1) the portions of Article 43, Sections 137 and 139 that require that an abortion be performed in an accredited and licensed hospital are unconstitutional; (2) Article 43, Section 137(a)(1), (2), (3) and (4) limiting abortions to situations where one or more of the enumerated conditions exist is unconstitutional; (3) Article 43, Section 137(b) insofar as it prohibits abortion after twenty-six weeks gestation (except in the limited circumstances referred to therein) is unconstitutional; and (4) Article 43, Section