

In subsection (d) of this section, the former phrase "while its license is suspended or revoked" is deleted as unnecessary in light of the broad reference to "operating a private facility without a license".

Defined terms: "Administration" § 7-101
"Person" § 1-101 "Private facility" § 7-101

7-902. INTERFERENCE WITH RIGHTS.

(A) PROHIBITED.

A PERSON MAY NOT INTERFERE KNOWINGLY WITH THE RIGHTS OF A MENTALLY RETARDED INDIVIDUAL UNDER SUBTITLE 6 OF THIS TITLE.

(B) PENALTY.

A PERSON WHO VIOLATES ANY PROVISION OF THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$5,000 OR IMPRISONMENT NOT EXCEEDING 2 YEARS OR BOTH.

REVISOR'S NOTE: This section formerly appeared as Article 59A, § 36.

The only changes are in style.

Defined terms:
"Mentally retarded individual" § 7-101
"Person" § 1-101

7-903. LIABILITY FOR DISCLOSURES.

(A) "CUSTODIAN" DEFINED.

IN THIS SECTION, "CUSTODIAN" MEANS:

- (1) AN ADMINISTRATIVE HEAD OF A FACILITY;
- (2) AN INDIVIDUAL WHO IS RESPONSIBLE FOR THE AREA WHERE RECORDS ON INDIVIDUALS WHO ARE EVALUATED OR TREATED IN A FACILITY ARE KEPT; OR
- (3) ANY INDIVIDUAL WHO HAS OR CONTROLS THE RECORD.

(B) LIABILITY.

IN ADDITION TO ANY DAMAGES RECOVERABLE IN LAW OR EQUITY, A CUSTODIAN OF A RECORD WHO DISCLOSES THE RECORD IN VIOLATION OF § 7-612 OF THIS TITLE IS LIABLE TO THE INDIVIDUAL WHOSE RECORDS ARE DISCLOSED UNLAWFULLY FOR PUNITIVE DAMAGES IN AN AMOUNT THAT DOES NOT EXCEED \$500 PLUS REASONABLE ATTORNEY'S FEES.