

2. TAKE ANY ADDITIONAL MEASURES NECESSARY TO REDUCE OR ELIMINATE THE THREAT TO THE HEALTH AND SAFETY OF PATIENTS, INCLUDING THE NOTIFICATION OF PATIENTS AND THE OFFERING OF RETESTS.

(II) A MEDICAL LABORATORY THAT FAILS TO COMPLY WITH AN ORDER ISSUED BY THE SECRETARY UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH IS SUBJECT TO A CIVIL PENALTY OF UP TO \$1,000 FOR EACH DAY OF NONCOMPLIANCE AFTER THE DEADLINE FOR COMPLIANCE STATED IN THE SECRETARY'S ORDER, NOT TO EXCEED A MAXIMUM PENALTY OF \$50,000, INSTEAD OF OR IN ADDITION TO ANY OTHER SANCTION IMPOSED UNDER THIS SECTION.

(c) Except as otherwise provided in the Administrative Procedure Act, before the Secretary denies, suspends or revokes a license, OR IMPOSES A CIVIL PENALTY under this section, the Secretary shall give the applicant or licensee notice and an opportunity for a hearing.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2005.

Approved May 10, 2005.

---

**CHAPTER 325**

**(Senate Bill 622)**

AN ACT concerning

**Public Safety - Collection of DNA Samples - State Budget**

FOR the purpose of repealing a certain requirement that, before a certain individual is required to submit a DNA sample, certain appropriations in the State budget must be available; and generally relating to collection of DNA samples.

BY repealing and reenacting, with amendments,

Article - Public Safety

Section 2-504(a)

Annotated Code of Maryland

(2003 Volume and 2004 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

**Article - Public Safety**

2-504.

(a) (1) In accordance with regulations adopted under this subtitle, [and if adequate funds for the collection of DNA samples are appropriated in the State budget,] an individual who is convicted of a felony or a violation of § 6-205 or § 6-206 of the Criminal Law Article shall: