

Article 1, §§ 9, 10, and 11 of the Code and Maryland Rule 5c.

In subsections (a)(2) and (b)(2) of this section, the term "woman" is substituted for the former term "female" to conform to language used throughout this article.

The Commission to Revise the Annotated Code notes, for consideration by the General Assembly, that the phrase "licensed physician" is carried over in this section from former Article 62, § 9(a) and (b). The General Assembly may wish to define "physician" and substitute the defined term for the phrase "licensed physician", or to substitute the phrase "physician authorized to practice medicine in this State" for "licensed physician", in order to include clearly in the scope of this title any individual who lawfully practices medicine in this State, whether or not licensed by the State Board of Medical Examiners. See also § 2-405 of this title, which presents the same issue.

Defined term: "Clerk" § 2-101

2-302. PENALTIES.

A PERSON WHO VIOLATES ANY PROVISION OF THIS SUBTITLE IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$250.

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 62, § 11(a).

In this section, the former minimum penalty is deleted to conform to the statement of legislative policy contained in Article 27, § 643 of the Code, which sets forth the general rule that, notwithstanding a prescribed minimum penalty, the court nevertheless may impose a lesser penalty of the same character.

SUBTITLE 4. LICENSING AND SOLEMNIZATION.

2-401. LICENSE REQUIRED; PENALTY.

(A) LICENSE REQUIRED.

AN INDIVIDUAL MAY NOT MARRY IN THIS STATE WITHOUT A LICENSE ISSUED BY THE CLERK FOR THE COUNTY IN WHICH THE MARRIAGE IS PERFORMED.

(B) PENALTY.

ANY INDIVIDUAL WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE OF \$100.