

AFFIRMATION MADE BEFORE AN INDIVIDUAL AUTHORIZED TO ADMINISTER OATHS.

SUBCOMMITTEE COMMENT: This section is new language added to allow an affidavit, a signed statement made under the penalties of perjury, to have the effect of being an oath or affirmation without detracting substantively from the purpose and effect of requiring an oath or affirmation. Therefore, an individual who makes an affidavit under this article is subject to the penalties for perjury if the affidavit is false, even if the individual does not appear and make oath before an individual authorized to administer oaths.

This section is patterned after the essential elements of Md. Rule 1-202(b), which defines "affidavit", and Md. Rules 1-303 and 1-304, which prescribe the form of oaths and affidavits. This provision does away with any required notarization.

1-202. COMPLIANCE WITH WORKERS' COMPENSATION LAWS.

(A) "EMPLOYER" DEFINED.

IN THIS SECTION, "EMPLOYER" HAS THE SAME MEANING AS UNDER THE STATE WORKERS' COMPENSATION LAWS.

(B) REQUIRED BEFORE ISSUANCE OF LICENSE OR PERMIT.

BEFORE ANY LICENSE OR PERMIT IS ISSUED UNDER THIS ARTICLE TO AN EMPLOYER TO ENGAGE IN AN ACTIVITY IN WHICH THE EMPLOYER MAY EMPLOY ANY INDIVIDUAL, THE EMPLOYER SHALL FILE WITH THE ISSUING AUTHORITY:

(1) A CERTIFICATE OF COMPLIANCE WITH THE STATE WORKERS' COMPENSATION LAWS; OR

(2) THE NUMBER OF A WORKERS' COMPENSATION INSURANCE POLICY OR BINDER.

SUBCOMMITTEE COMMENT: This section is new language that repeats the provisions of present Art. 56, § 2C.

It states a requirement established by Art. 101, § 31A of the Code and also is based on Art. 41, § 1-402 of the Code.

In this section, the word "[w]orkers'" is substituted for the former word "[w]orkmen's", to conform to Art. 101, § 14A of the Code.

TITLE 2. RESERVED.