

(2) WILLFULLY INTERFERE WITH THE RIGHT OF AN INDIVIDUAL TO TAKE AN EXAMINATION UNDER THIS DIVISION I.

REVISOR'S NOTE: This section is new language derived without substantive change from the third clause of the first sentence of former Art. 64A, § 40, as it prohibited deception and interference in connection with examinations.

In this section and throughout this subtitle, the former reference to acting "corruptly" is deleted as unnecessary in light of the broad term "willfully", which was formerly used in the disjunctive.

Defined term: "Person" § 1-101

13-103. FALSIFYING EXAMINATION GRADE, RESULT, OR STANDING.

A PERSON MAY NOT WILLFULLY FALSIFY:

- (1) AN ANSWER ON AN EXAMINATION HELD UNDER THIS DIVISION I;
- (2) A GRADE OR MARK ON AN EXAMINATION HELD UNDER THIS DIVISION I;
- (3) A REPORT ON THE RESULTS OF AN EXAMINATION HELD UNDER THIS DIVISION I; OR
- (4) A REPORT ON THE STANDING OF AN INDIVIDUAL EXAMINED UNDER THIS DIVISION I.

REVISOR'S NOTE: This section is new language derived without substantive change from the first clause and, as it related to grading examinations, the third clause of the first sentence of former Art. 64A, § 40.

In item (2) of this section, the former reference to "estimate" is deleted as unnecessary in light of the comprehensive word "grade".

In item (3) of this section, the reference to "the results of" an examination are added for clarity.

Defined term: "Person" § 1-101

13-104. DECEPTION BY APPLICANT.

AN APPLICANT FOR EMPLOYMENT MAY NOT ACT DECEPTIVELY IN ORDER TO IMPROVE THE APPLICANT'S CHANCES FOR APPOINTMENT.

REVISOR'S NOTE: This section is new language derived without substantive change from the second sentence of former Art. 64A, § 40.

In this section, the phrase "act deceptively" is substituted for the former narrow phrase "deceive the Secretary". The State Personnel Article Review Committee concluded that deceiving anyone, not just the Secretary, to obtain an appointment was intended to be prohibited. The State Personnel Article Review Committee calls this substitution to the attention of the General Assembly.