

Year 1994 State Budget for the purpose of funding the Insurance Fraud Unit within the Department of Licensing and Regulation shall be transferred to the Office of the Governor by Budget Amendment. The provisions of Executive Order 01.01.1992.24 shall remain in effect until January 1, [1995] 1997 and the Maryland State Police shall remain the head of the Fraud Unit as provided in the Executive Order. To the extent practicable, the Insurance Fraud Unit under Executive Order 01.01.1992.24 shall establish procedures to implement the procedural requirements of §§ 6-203, 6-204(a)-(d), and 6-206 of Section 7 of this Act applicable to the Insurance Fraud Division in [1994] 1996 in order to facilitate the transfer of the Unit to the Attorney General's Office. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE INSURANCE FRAUD ADVISORY COUNCIL SHALL CONDUCT A STUDY TO DETERMINE THE APPROPRIATE UNIT OF STATE GOVERNMENT IN WHICH THE INSURANCE FRAUD UNIT SHOULD BE LOCATED. ON OR BEFORE DECEMBER 31, 1995, THE ADVISORY COUNCIL SHALL SUBMIT TO THE GOVERNOR AND THE GENERAL ASSEMBLY A REPORT THAT SUMMARIZES THE STUDY AND SHALL MAKE A RECOMMENDATION ON THE LOCATION OF THE INSURANCE FRAUD UNIT.

SECTION 12. AND BE IT FURTHER ENACTED, That the creation of the Insurance Fraud Division in the Office of the Attorney General in this Act supersedes the creation of the Insurance Fraud Unit in the Department of Licensing and Regulation in Executive Order 01.01.1992.24 and that:

(1) funds provided in the Fiscal Year [1995] 1997 State Budget Bill for the purpose of funding the Insurance Fraud Unit, be transferred to the Insurance Fraud Division within the Office of the Attorney General by budget amendment approved by the Board of Public Works; and

(2) any personnel and resources provided for the use of the Insurance Fraud Unit be transferred to the Insurance Fraud Division in the Office of the Attorney General by budget amendment approved by the Board of Public Works in a manner that maximizes the use of the personnel and resources of the Insurance Fraud Unit by the Insurance Fraud Division.

SECTION 13. AND BE IT FURTHER ENACTED, That Sections 7 and 12 of this Act shall take effect January 1, [1995] 1997.

SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect January 1, 1995. Prior to January 1, ~~1995~~ 1997, all references to the "Insurance Fraud Unit" shall mean the Insurance Fraud Unit created by Executive Order 01.01.1992.24. ~~Subsequent to January 1, 1995~~ On and after January 1, 1997, unless otherwise provided by law, all references to the "Insurance Fraud Unit" shall mean the Insurance Fraud Division of the Office of the Attorney General as created by Chapter 538, Section 7 of the Laws of Maryland of 1993.

SECTION 4. AND BE IT FURTHER ENACTED, That amendments to Article 48A, § 233 of the Code shall be construed in a manner consistent with the common law of Maryland as it applies to the criminal culpability of accomplices and conspirators and shall not be construed in a manner that in any way limits the culpability of an accomplice or conspirator charged with violating Article 48A, § 233 of the Code.