

Defined terms: "Affiliate" § 7-101

"Control" § 1-101

"Domestic insurer" § 1-101

"Person" § 1-101

"Subsidiary" § 7-101

7-807. PROHIBITED ACTS; PENALTIES.

(A) PROHIBITED ACTS.

A PERSON MAY NOT WILLFULLY:

(1) VIOLATE A PROVISION OF THIS TITLE OR A REGULATION ADOPTED BY THE COMMISSIONER UNDER THIS TITLE; OR

(2) IN A DOCUMENT REQUIRED TO BE FILED UNDER SUBTITLE 3 OR SUBTITLE 6 OF THIS TITLE:

(I) MAKE AN UNTRUE STATEMENT OF A MATERIAL FACT; OR

(II) OMIT A MATERIAL FACT THAT IS REQUIRED IN THE DOCUMENT OR THAT IS NECESSARY TO MAKE A STATEMENT IN THE DOCUMENT NOT MISLEADING.

(B) PENALTIES.

A PERSON THAT VIOLATES SUBSECTION (A) OF THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$10,000 OR IMPRISONMENT NOT EXCEEDING 5 YEARS, OR BOTH.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 48A, § 500(a).

In subsection (a)(2) of this section, the word "document" is substituted for the former words "filing" and "registration" for clarity.

In subsection (b) of this section, the reference to being "guilty of a misdemeanor" is added to state expressly that which only was implied in the former law by the reference to a "conviction". In this State, any crime that was not a felony at common law and has not been declared a felony by statute is considered to be a misdemeanor. See State v. Canova, 278 Md. 483, 490 (1976); Bowser v. State, 136 Md. 342, 345 (1920); Dutton v. State, 123 Md. 373, 378 (1914); and Williams v. State, 4 Md. App. 342, 347 (1967).

Defined terms: "Commissioner" § 1-101

"Person" § 1-101

GENERAL REVISOR'S NOTE TO TITLE:

Former Art. 48A, § 502, which provided for the severability of invalid provisions, is deleted as unnecessary in light of Art. 1, § 23 of the Code.