

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 40A, § 7-101(1) and (2).

In subsection (b)(1)(ii)3 of this section, the word "proceeding" is substituted for the former words "legal action" for clarity.

Defined terms: "Employee" § 15-102

"Official" § 15-102

15-903. CRIMINAL PENALTIES.

(A) IN GENERAL.

A PERSON WHO KNOWINGLY AND WILLFULLY VIOLATES SUBTITLE 7 OF THIS TITLE IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$1,000 OR IMPRISONMENT NOT EXCEEDING 1 YEAR OR BOTH.

(B) OFFICERS AND PARTNERS.

IF THE PERSON IS NOT AN INDIVIDUAL, EACH OFFICER OR PARTNER WHO KNOWINGLY AUTHORIZES OR PARTICIPATES IN A VIOLATION OF SUBTITLE 7 OF THIS TITLE IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO THE PENALTY SPECIFIED IN SUBSECTION (A) OF THIS SECTION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 40A, § 7-102.

Because "business entity" was defined in former Art. 40A to "include any entity, regardless of form", former Art. 40A, § 7-102(b) is interpreted to apply to any person that is not an individual.

Accordingly, the former term "business entity" is deleted for clarity and to avoid unintended gaps in coverage.

Defined term: "Person" § 1-101

15-904. DISCIPLINARY ACTION.

IN ADDITION TO ANY OTHER PENALTY UNDER THIS TITLE, A PUBLIC OFFICIAL OR EMPLOYEE FOUND BY THE ETHICS COMMISSION OR A COURT TO HAVE VIOLATED THIS TITLE:

(1) MAY BE REMOVED OR SUBJECTED TO OTHER DISCIPLINARY ACTION; AND

(2) IF SUBJECT TO AN ORDER OF THE COMMISSION OR A COURT DIRECTING COMPLIANCE, MAY NOT RECEIVE SALARY OR OTHER COMPENSATION PENDING FULL COMPLIANCE WITH THE ORDER.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 40A, § 7-103.

In item (1) of this section, the words "as may be warranted" from former Art. 40A, § 7-103(1) are deleted as surplusage.