

(i) For a first offense, shall be subject to a fine of not more than \$1,000, or imprisonment for not more than 1 year, or both;

(ii) For a second offense, shall be subject to a fine of not more than \$2,000, or imprisonment for not more than 2 years, or both; and

(iii) For a third or subsequent offense, shall be subject to a fine of not more than \$3,000, or imprisonment for not more than 3 years, or both.

(2) For the purpose of second or subsequent offender penalties for violation of § 21-902(a) of this article provided under this subsection, a prior conviction of § 21-902(b), (c), or (d) of this article, within 5 years of the conviction for a violation of § 21-902(a) of this article, shall be considered a conviction of § 21-902(a) of this article.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health and safety, has been passed by a ye and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.

Approved May 23, 1996.

**CHAPTER 653**

**(House Bill 1258)**

AN ACT concerning

**Board of Public Works – General Counsel – Approval of Regulations for Legality**

FOR the purpose of authorizing the General Counsel to the Board of Public Works to approve proposed Board regulations for legality; and generally relating to the General Counsel to the Board of Public Works.

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 12-102(b)

Annotated Code of Maryland

(1995 Replacement Volume and 1995 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

**Article – State Finance and Procurement**

12-102.

(b) (1) (i) The Board shall appoint a General Counsel, who serves at the pleasure of the Board.

(ii) The General Counsel shall be an attorney in this State.