In subsection (c) of this section, the phrase "with the injury" is substituted for the former word "therewith" for clarity.

SUBTITLE 5. STATUTE OF FRAUDS.

5–501. EXECUTORY CONTRACTS.

UNLESS A CONTRACT OR AGREEMENT UPON WHICH AN ACTION IS BROUGHT, OR SOME MEMORANDUM OR NOTE OF IT, IS IN WRITING AND SIGNED BY THE PARTY TO BE CHARGED OR ANOTHER PERSON LAWFULLY AUTHORIZED BY THAT PARTY, AN ACTION MAY NOT BE BROUGHT:

(1)   TO CHARGE A DEFENDANT ON ANY SPECIAL PROMISE TO ANSWER FOR THE DEBT, DEFAULT, OR MISCARRIAGE OF ANOTHER PERSON;

(2)   TO CHARGE ANY PERSON ON ANY AGREEMENT MADE ON CONSIDERATION OF MARRIAGE; OR

(3)   ON ANY AGREEMENT THAT IS NOT TO BE PERFORMED WITHIN 1 YEAR FROM THE MAKING OF THE AGREEMENT.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 39C, § 1.

In item (3) of this section, the phrase "of the agreement" is substituted for the former word "thereof" for clarity.

It should be noted that there are other statute of frauds provisions in the Code, e.g. § 2–201 of the Commercial Law Article, § 8–109(i) of the Estates and Trusts Article, and Title 5 of the Real Property Article.

6–406.1. ACTIONS BY CREDITORS OF PERSONS USING A TRADE NAME.

(A)   AUTHORIZED.

A CREDITOR OF A PERSON ENGAGED IN A MERCANTILE, TRADING, OR MANUFACTURING BUSINESS AS AN AGENT OR DOING BUSINESS OR TRADING UNDER ANY DESIGNATION, TITLE, OR NAME OTHER THAN THE PERSON'S OWN NAME WHO FAILS TO FILE THE CERTIFICATE REQUIRED UNDER § 1–406 OF THE CORPORATIONS AND ASSOCIATIONS ARTICLE, MAY BRING AN ACTION IN A COURT OF COMPETENT JURISDICTION AGAINST THE PERSON OR THE NAME, TITLE, OR DESIGNATION UNDER WHICH THE BUSINESS IS CONDUCTED AND SERVICE ON THE PERSON SHALL BE VALID.

(B)   EXECUTION ON JUDGMENT.

ALL THE ASSETS USED IN OR OWNED BY THE PERSON'S BUSINESS ARE SUBJECT TO SEIZURE AND SALE UNDER EXECUTION IN SATISFACTION OF THE JUDGMENT.

REVISOR'S NOTE: This section is new language derived without substantive change from the first clause of former Art. 2, § 20.

In subsection (a) of this section, the former references to a "suit" are deleted