

5. A principal, vice principal, teacher, or school counselor at a public or private preschool, elementary school, or secondary school; and

(ii) The individual described under item (i) of this paragraph was lawfully acting in the course of the individual's profession when the statement was made.

(3) An out of court statement may be admissible under this section only if the statement possesses particularized guarantees of trustworthiness.

DRAFTER'S NOTE:

Error: Purpose paragraphs of bills being cured failed to accurately describe the changes made by the bills.

Occurred: Chapter 638 (Senate Bill 688) and Chapter 639 (House Bill 590) of the Acts of 1998.

Article 33 - Election Code

12-107.

(a) In this section, "petitioner" includes a counterpetitioner.

(b) (1) Except as provided in paragraph (2) of this subsection, each petitioner shall pay the cost of a recount requested under this subtitle and the petitioner's bond is liable for the cost.

(2) The petitioner is not liable for the costs of the recount if:

(i) The outcome of the election is changed;

(ii) The petitioner has gained a number of votes, for the petitioner's candidacy or for or against the question that is the subject of the petition, equal to 2% or more of the total votes cast for the office or on the question, in all precincts being recounted; or

(iii) 1. The margin of difference in the number of votes received by an apparent winner and the losing candidate with the highest number of votes for an office is 0.1% or less of the total votes cast for those candidates; or

2. In the case of a question, the margin of difference between the number of votes cast for and the number cast against the question is 0.1% or less.

(c) If the petitioner is not liable for the costs of the recount as provided in subsection (b) of this section, a county shall pay the costs of the recount in that county.

DRAFTER'S NOTE:

Error: Function paragraph and body of bill being cured incorrectly indicated that Article 33, § 12-106, rather than § 12-107 (as enacted by Chapter 585 of the Acts of the General Assembly of 1998), was being amended.

Occurred: Chapter 666 (House Bill 122) of the Acts of 1998.