

In subsection (f)(3) of this section, the former reference to a claim being "absolutely" barred is deleted as surplusage.

In subsection (g) of this section, the reference to an employee "of the Department" is added for specificity.

Defined terms: "Department" § 2-101

"Person" § 1-101

"Rule" § 2-101

"Secretary" § 2-101

2-312. FINGERPRINTING FEES.

(A) IN GENERAL.

EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, THE SECRETARY SHALL CHARGE A FEE OF \$5 PER FINGERPRINT CARD TO EACH INDIVIDUAL WHO REQUESTS THAT THE INDIVIDUAL BE FINGERPRINTED.

(B) EXCEPTIONS.

A FEE MAY NOT BE CHARGED TO AN INDIVIDUAL WHO IS:

(1) FINGERPRINTED AS A MATTER OF PROCEDURE IN A LAW ENFORCEMENT ACTION;

(2) REQUIRED TO HAVE FINGERPRINTS RETAKEN BECAUSE OF ANY FAULT OR ERROR BY THE DEPARTMENT DURING THE PREPARATION OF THE FINGERPRINT CARD; OR

(3) OTHERWISE DECLARED BY THE SECRETARY TO BE EXEMPT FROM THIS SECTION.

(C) REGULATIONS.

SUBJECT TO THE ADMINISTRATIVE PROCEDURE ACT, THE SECRETARY SHALL ADOPT REGULATIONS TO CARRY OUT THIS SECTION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 88B, § 27A.

In subsections (a) and (b) of this section, the references to an "individual" are substituted for the former references to a "person" because only an individual, and not the other entities included in the defined term "person", can have fingerprints.

In subsection (a) of this section, the former reference to "the preparation of" each fingerprint card is deleted as surplusage.

In subsection (c) of this section, the former reference to "rules" is deleted. Because this provision specifically refers to "regulations" subject to the "Administrative Procedure Act", the use of the defined term "rule" is inappropriate in this context. See § 2-101 of this title.