

As to the deletion of the reference to a registered "badge, motto, button, decoration, charm, emblem, rosette" in subsection (d) of this section, see General Revisor's Note to subtitle.

In subsection (d) of this section, the reference to authorization under the bylaws of an "organization" is added for consistency with § 19-201 of this subtitle, which authorizes an organization to register a name or insignia.

Also in subsection (d) of this section, the reference to a symbolic representation "that is registered under this subtitle" is substituted for the former archaic reference to a symbolic representation "duly registered hereunder" for clarity.

Also in subsection (d) of this section, the former reference to a violation "for any purpose" is deleted as implicit in the reference to the violation.

Also in subsection (d) of this section, the former reference to a symbolic representation "of any such association or organization, herein mentioned" is deleted as unnecessary in light of the reference to a "registered" symbolic representation.

The Criminal Law Article Review Committee notes, for the consideration of the General Assembly, that the provisions of subsections (c)(2)(ii) and (d)(2)(ii) of this section, authorizing imprisonment in default of paying a fine, may infringe the Fourteenth Amendment to the U.S. Constitution by imposing a greater punishment on those unable to pay the fine than on those who are able to pay. See *Tate v. Short*, 401 U.S. 395 (1971); cf. *Bearden v. Georgia*, 461 U.S. 660 (1983).

Defined term: "Person" § 1-101

GENERAL REVISOR'S NOTE TO SUBTITLE

Throughout this subtitle, the references to a "[name or] insignia" are substituted for variations of the former lengthy, obsolete, and redundant references to a "name, badge, [motto,] button, decoration, charm, emblem, rosette, [distinctive ribbons, uniform, official decorations] or other insignia" for clarity, brevity, and consistency within this subtitle.

Former Art. 27, § 184 authorized an association to register a symbolic representation, including a motto, with the Secretary of State. Former Art. 27, § 187 provided that the Secretary of State may not register a symbolic representation, including a motto, that imitates, etc. another registered symbolic representation, *not including* a motto. This revision authorizes the registration of the same list of symbolic representations. This revision also provides that the Secretary of State may not register a symbolic representation, including a motto, that imitates, etc. another registered symbolic representation, *including* a motto. The Criminal Law Article Review Committee calls this addition to the attention of the General Assembly.