

A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT LESS THAN 6 MONTHS AND NOT EXCEEDING 3 YEARS OR A FINE NOT LESS THAN \$1,000 AND NOT EXCEEDING \$10,000 OR BOTH.

(C) STATUTE OF LIMITATIONS AND IN BANC REVIEW.

A PERSON WHO VIOLATES THIS SECTION IS SUBJECT TO § 5-106(B) OF THE COURTS ARTICLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 174.

In the introductory language of subsection (a) of this section, the former reference to acting "with a view ... to" specified ends is deleted for brevity.

In subsection (a)(2) of this section, the reference to "committing fraud in another manner" is substituted for the former reference to "in any other manner to accomplish any fraud thereby" for clarity.

In subsection (b) of this section, the former phrase "by indictment in any court of law" is deleted as surplusage.

Also in subsection (b) of this section, the former reference to imprisonment "in jail" is deleted for consistency within this article. Currently, inmates are sentenced to the custody of a unit such as the Division of Correction and then are placed in a particular facility. See CS § 9-103.

Also in subsection (b) of this section, the former reference to "the discretion of the court" to determine the penalty is deleted as implicit in the establishment of maximum penalties.

In subsection (c) of this section, the reference to a violation being "subject to § 5-106(b) of the Courts Article" is substituted for the former reference to the violation subjecting the defendant to imprisonment "in ... [the] penitentiary" for clarity and consistency within this article. See General Revisor's Note to article.

Defined term: "Person" § 1-101

8-403. REMOVAL OF PERSONAL PROPERTY.

(A) PROHIBITED.

A DEBTOR WHO POSSESSES PERSONAL PROPERTY THAT IS SUBJECT TO A SECURITY INTEREST MAY NOT SECRETE, HYPOTHECATE, DESTROY, OR SELL THE PROPERTY OR REMOVE THE PROPERTY FROM THE COUNTY WHERE IT WAS LOCATED WHEN THE SECURITY INTEREST ATTACHED:

(1) WITHOUT THE WRITTEN CONSENT OF THE SECURED PARTY OR THE SECURED PARTY'S ASSIGNEE; AND

(2) WITH THE INTENT TO DEFRAUD THE SECURED PARTY.