

in light of Art. 1, § 8, which provides that the singular generally includes the plural.

In subsection (d) of this section, the former reference to conviction "thereof in any court of this State having criminal jurisdiction" is deleted as surplusage.

Also in subsection (d) of this section, the former reference to imprisonment "in the jail of the county or city in which such conviction is had" 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 (d) of this section, the former reference to the court's "discretion" to determine the penalty is deleted as implicit in the establishment of maximum penalties.

Defined term: "Person" § 1-101

8-406. MISUSE OF DOCUMENTS OF TITLE.

(A) PROHIBITED.

A PERSON, ON THE PERSON'S OWN BEHALF OR ON BEHALF OF ANOTHER, WHO RECEIVES, ACCEPTS, OR TAKES IN TRUST FROM ANOTHER A WAREHOUSE OR ELEVATOR RECEIPT, BILL OF LADING, OR DOCUMENT GIVING, OR PURPORTING TO GIVE, TITLE TO, OR THE RIGHT TO POSSESSION OF, GOODS, WARES, MERCHANDISE, OR OTHER PERSONAL PROPERTY, SUBJECT TO A WRITTEN CONTRACT EXPRESSING THE TERMS AND CONDITIONS OF THE TRUST, MAY NOT FAIL TO FULFILL IN GOOD FAITH THE TERMS AND CONDITIONS OF THE TRUST.

(B) PENALTY.

A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT LESS THAN 1 YEAR AND NOT EXCEEDING 10 YEARS OR A FINE NOT LESS THAN \$500 AND NOT EXCEEDING \$5,000 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, § 163.

In subsection (a) of this section, the former references to a "firm, copartnership or corporation" are deleted as included in the defined term "person". *See* § 1-101 of this article.

Also in subsection (a) of this section, the former reference to acting "under ... contract" is deleted as implicit in the reference to acting "subject to a ... contract".