

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, § 127.

In subsection (a) of this section, the former reference to a "codicil" is deleted as included in the reference to a "will". See ET § 1-101.

In the introductory language of subsection (a) of this section, the reference to the "maker of a will" is substituted for the former reference to the "party making it" for clarity. Similarly, in subsection (a)(2) of this section, the reference to the "maker" is substituted for the former reference to the "party" for consistency within this subsection.

In subsection (a)(2) of this section, the phrase "after the person learns of the death of the maker" is substituted for the former phrase "after the death of the party shall be known to him" for clarity.

In subsection (b) of this section, the reference to being "guilty of a misdemeanor" is added to state expressly that which only was implied in the former law by the reference to a "conviction". In this State, any crime that was not a felony at common law and has not been declared a felony by statute, is considered to be a misdemeanor. See *State v. Canova*, 278 Md. 483, 490 (1976), *Bowser v. State*, 136 Md. 342, 345 (1920), *Dutton v. State*, 123 Md. 373, 378 (1914), and *Williams v. State*, 4 Md. App. 342, 347 (1968).

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 "to the penitentiary" for clarity and consistency within this article. See General Revisor's Note to article.

Defined term: "Person" § 1-101

#### SUBTITLE 8. MISCELLANEOUS FRAUD.

##### 8-801. LIVESTOCK BREED CERTIFICATE NOT PROVIDED.

###### (A) PROHIBITED.

A PERSON MAY NOT FAIL TO FURNISH TO THE PURCHASER OF PUREBRED LIVESTOCK A PAPER OR CERTIFICATE SHOWING THAT THE LIVESTOCK IS PUREBRED STOCK WITHIN 90 DAYS AFTER THE SALE AND DELIVERY OF THE LIVESTOCK IF:

- (1) THE PAPER OR CERTIFICATE IS A CONDITION OF SALE; AND
- (2) PAYMENT HAS BEEN MADE FOR THE LIVESTOCK.

###### (B) PENALTY.