

(2) FOR EACH SUBSEQUENT VIOLATION, IMPRISONMENT NOT EXCEEDING 6 MONTHS OR A FINE NOT LESS THAN \$100 OR BOTH.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 200.

In subsection (b) of this section, the references to a "violation" are substituted for the former references to an "offense" for consistency within this article. See General Revisor's Note to article.

The Criminal Law Article Review Committee notes, for the consideration of the General Assembly, that in subsection (b)(2) of this section, no maximum fine is provided.

Defined term: "Person" § 1-101

TITLE 9. CRIMES AGAINST PUBLIC ADMINISTRATION.

SUBTITLE 1. PERJURY.

9-101. PERJURY.

(A) PROHIBITED.

A PERSON MAY NOT WILLFULLY AND FALSELY MAKE AN OATH OR AFFIRMATION:

- (1) IF THE FALSE SWEARING IS PERJURY AT COMMON LAW;
- (2) IN AN AFFIDAVIT REQUIRED BY LAW;
- (3) IN AN AFFIDAVIT MADE TO INDUCE A COURT OR OFFICER TO PASS AN ACCOUNT OR CLAIM;
- (4) IN AN AFFIDAVIT REQUIRED AS PART OF A REPORT AND RETURN MADE TO THE GENERAL ASSEMBLY OR AN OFFICER OF THE GOVERNMENT; OR
- (5) IN AN AFFIDAVIT OR AFFIRMATION MADE UNDER THE MARYLAND RULES.

(B) PENALTY.

A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF THE MISDEMEANOR OF PERJURY AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 10 YEARS.

(C) CONTRADICTORY STATEMENTS.

IF A PERSON MAKES AN OATH OR AFFIRMATION TO TWO CONTRADICTORY STATEMENTS, EACH OF WHICH, IF FALSE, IS PROHIBITED BY SUBSECTION (A) OF THIS SECTION, IT IS SUFFICIENT FOR PURPOSES OF INDICTMENT TO ALLEGE, AND FOR CONVICTION TO PROVE, THAT ONE OF THE STATEMENTS IS WILLFULLY FALSE WITHOUT SPECIFYING WHICH ONE.