

In subsection (b) of this section, the former reference to a "candidate so offending" is deleted as included in the reference to a "person".

Also in subsection (b) of this section, the former phrase "in the court of the county or city wherein such offense may be committed" is deleted as surplusage.

Also in subsection (b) of this section, the former references to a sentence being "at the discretion of the court" and "as the court may adjudge" are deleted as implicit in the reference to a person being "subject to" a fine and imprisonment.

Also in subsection (b) of this section, the reference to a person being "guilty of a misdemeanor" is added to state expressly that which only was implied by the reference, in former Art. 27, § 27, to a person being "convicted". In this State, any crime that was not a felony at common law and has not been declared a felony by statute is considered 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).

For other penalties contained in the Maryland Constitution, including disfranchisement and disqualification from holding office, *see* Md. Constitution, Art. I, § 6 and Art. III, § 50.

Defined term: "Person" § 1-101

9-204. BRIBERY OF PERSON PARTICIPATING IN OR CONNECTED WITH ATHLETIC CONTEST.

(A) PROHIBITED.

A PERSON MAY NOT BRIBE OR ATTEMPT TO BRIBE ANOTHER WHO IS PARTICIPATING IN OR CONNECTED WITH AN ATHLETIC CONTEST HELD IN THE STATE.

(B) PENALTY.

A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF THE MISDEMEANOR OF BRIBERY AND ON CONVICTION IS SUBJECT TO IMPRISONMENT FOR NOT LESS THAN 6 MONTHS AND NOT EXCEEDING 3 YEARS OR A FINE NOT LESS THAN \$100 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.

(D) COMPETENCY AND IMMUNITY OF WITNESS IN PROSECUTION.

(1) A PERSON: