

Subsection (c) of this section is new language derived without substantive change from the fifth sentence of former Art. 101, § 18, except as it related to self-insurance.

In subsection (c) of this section, the former words "firm, corporation, insurance company, association" are deleted in light of the definition of "person". As to the definition of "person", see § 4 of this article.

In subsection (c)(1) of this section, the reference to being "guilty of a misdemeanor" is added to state expressly that which only was implied by the reference, in former Art. 101, § 18, to a "conviction". Since violation of former § 18 was not a felony at common law and has not been declared a felony by statute, it is considered to be a misdemeanor. See State v. Canova, 278 Md. 483, 490 (1976), and Dutton v. State, 123 Md. 373, 378 (1914).

Also in subsection (c)(1) of this section, the former minimum penalty of \$500 is deleted to conform to the statement of legislative policy in Art. 27, § 643 of the Code, which sets forth the general rule that, notwithstanding a statutory minimum penalty, a court may impose a lesser penalty of the same character. The District Court has exclusive jurisdiction over criminal offenses for which the penalty is \$2,500 or less. In 1972, the power conferred under Art. 27, § 643 was extended to the District Court with respect to crimes that existed at that time, including former Art. 101, § 18, which was last amended by Ch. 584, Acts of 1957.

482G. RENEWAL.

WHEN A WORKERS' COMPENSATION INSURANCE POLICY IS RENEWED, THE INSURER SHALL GIVE THE EMPLOYER A CONSPICUOUS WRITTEN NOTICE THAT:

(1) FOR EACH EMPLOYEE WHO IS A MINOR, THE EMPLOYER MUST HAVE A WORK PERMIT AS REQUIRED IN TITLE 3, SUBTITLE 2 OF THE LABOR AND EMPLOYMENT ARTICLE;

(2) IF THE EMPLOYER DOES NOT HAVE A WORK PERMIT FOR AN EMPLOYEE WHO IS A MINOR, THE STATE WORKERS' COMPENSATION COMMISSION MAY AWARD TWICE THE COMPENSATION AND DEATH BENEFITS OTHERWISE ALLOWED UNDER TITLE 9, SUBTITLE 6 OF THE LABOR AND EMPLOYMENT ARTICLE IN A CLAIM BY THAT EMPLOYEE OR A DEPENDENT OF THAT EMPLOYEE; AND

(3) THE EMPLOYER IS SOLELY LIABLE FOR ANY INCREASE IN COMPENSATION OR DEATH BENEFITS IN A CLAIM BY A MINOR EMPLOYEE FOR WHOM THE EMPLOYER DOES NOT HAVE A WORK PERMIT OR A DEPENDENT OF THAT EMPLOYEE.

REVISOR'S NOTE: Chapter ____, Acts of 1991, which enacted the Labor and Employment Article, also enacted this section, which is derived without substantive change from former Art. 101, § 19(g).