

Article – State Finance and Procurement

7-237.

(d) If an officer or agent to whom this section applies is found guilty of willfully or knowingly violating any provision of subsection (b)(2) or (3) of this section:

(2) the officer or agent is subject:

(i) for a 1st offense, to a fine not exceeding \$1,000 or imprisonment in the State Penitentiary not exceeding 2 years or both; and

(ii) for a subsequent offense, to a fine not exceeding \$2,000 or imprisonment in the State Penitentiary not exceeding 2 years or both.

SECTION 2. AND BE IT FURTHER ENACTED, That there is no statute of limitations for a misdemeanor punishable by imprisonment in the penitentiary, notwithstanding any holding or dictum to the contrary in *Massey v. State*, 320 Md. 605, 579 A.2d 265 (1990).

SECTION 3. AND BE IT FURTHER ENACTED, That if any provision of this Act or the application thereof to any person or circumstance is held invalid for any reason in a court of competent jurisdiction, the invalidity does not affect other provisions or any other application of this Act which can be given effect without the invalid provision or application, and for this purpose the provisions of this Act are declared severable.

SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1991.

Approved May 14, 1991.

CHAPTER 372

(House Bill 400)

AN ACT concerning

Child Abuse – Penalties

FOR the purpose of ~~providing additional penalties when a victim dies as a result of child abuse; and increasing the term of imprisonment that may be imposed on a person who is convicted of child abuse that results in the death of the victim;~~ making a stylistic change; and generally relating to the penalty for child abuse.

BY repealing and reenacting, with amendments,
Article 27 – Crimes and Punishments
Section 35A(b)
Annotated Code of Maryland
(1987 Replacement Volume and 1990 Supplement)