

IF THE PROCEDURES PROVIDED IN SUBSECTION (B)(2) OF THIS SECTION ARE USED, THE AFFIDAVIT SUBJECTS THE INDIVIDUAL MAKING IT TO THE PENALTIES FOR PERJURY TO THE SAME EXTENT AS AN OATH OR AFFIRMATION MADE BEFORE AN INDIVIDUAL AUTHORIZED TO ADMINISTER OATHS.

REVISOR'S NOTE: This section is new language added to allow an affidavit, a signed statement made under the penalties of perjury, to have the effect of being an oath or affirmation without detracting substantively from the purpose and effect of requiring an oath or affirmation. Therefore, an individual who makes an affidavit under this article is subject to the penalties for perjury if the affidavit is false, even if the individual does not appear and make oath before an individual authorized to administer oaths.

This section is patterned after the essential elements of Md. Rule 1-202(b), which defines "affidavit", and Md. Rules 1-303 and 1-304, which prescribe the form of oaths and affidavits. This provision does away with any required notarization.

1-202. COMPLIANCE WITH WORKERS' COMPENSATION LAWS.

(A) "EMPLOYER" DEFINED.

IN THIS SECTION, "EMPLOYER" HAS THE SAME MEANING AS UNDER THE STATE WORKERS' COMPENSATION LAWS.

(B) REQUIRED BEFORE ISSUANCE OF LICENSE OR PERMIT.

BEFORE A GOVERNMENTAL UNIT ISSUES ANY LICENSE OR PERMIT TO AN EMPLOYER TO ENGAGE IN AN ACTIVITY IN WHICH THE EMPLOYER MAY EMPLOY ANY INDIVIDUAL, THE EMPLOYER SHALL FILE WITH THE GOVERNMENTAL UNIT:

(1) A CERTIFICATE OF COMPLIANCE WITH THE STATE WORKERS' COMPENSATION LAWS; OR

(2) THE NUMBER OF A WORKERS' COMPENSATION INSURANCE POLICY OR BINDER.

REVISOR'S NOTE: Subsection (a) of this section is new language added to provide an express definition of "employer".

Subsection (b) of this section is new language that repeats the provisions of § 9-105 of this article.

Defined term: "Governmental unit" § 1-101

TITLE 2. DIVISION OF LABOR AND INDUSTRY:

2-101. DEFINITIONS.

(A) IN GENERAL.