

(2) IF THE EMPLOYER IS A CORPORATION, EACH CORPORATE OFFICER WHO EXERCISES EXECUTIVE FUNCTIONS IS GUILTY OF A MISDEMEANOR.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 138A.

In subsection (a) and the introductory language of subsection (b) of this section, the word "shall" is substituted for the former word "must" since the intent seems to be to impose a duty on an employer or union official and the word "shall" is used throughout the Code to express a duty.

In subsection (c)(1) of this section, the former words "refuses" and "intentionally" are deleted as included in the word "knowingly".

4-402. REFUSAL TO LEAVE PROPERTY.

(A) SCOPE OF SECTION.

THIS SECTION DOES NOT APPLY TO A REFUSAL TO LEAVE PROPERTY BASED ON A BONA FIDE CLAIM OF OWNERSHIP OF OR OTHER RIGHT TO THE PROPERTY.

(B) IN GENERAL.

AN EMPLOYEE OR FORMER EMPLOYEE MAY NOT REMAIN ON PROPERTY THAT IS UNDER THE LEGAL CONTROL OF AN EMPLOYER AFTER THE EMPLOYER OR AN AGENT OF THE EMPLOYER GIVES THE EMPLOYEE OR FORMER EMPLOYEE NOTICE TO LEAVE IF REMAINING DEPRIVES OR IS INTENDED TO DEPRIVE THE EMPLOYER OF THE SUBSTANTIAL CONTROL, POSSESSION, OR USE OF THE PROPERTY.

(C) CRIMINAL PENALTY.

A PERSON WHO VIOLATES ANY PROVISION OF SUBSECTION (B) OF THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$50.

(D) CIVIL LIABILITY.

AN ORGANIZATION THAT IS RESPONSIBLE FOR A VIOLATION OF THIS SECTION IS LIABLE FINANCIALLY TO THE OWNER OF THE PROPERTY FOR THE LOSS OF REVENUE OR FROM DAMAGE THAT RESULTS FROM THE VIOLATION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 552.

In subsections (a) and (b) of this section, the former specific references to "land", "premises", and "buildings" are deleted as included in the word "property".