

(3) IF THE STATUS CHANGES DURING THE TERM OF THE LICENSE, THE COMMISSIONER SHALL GIVE THE PERSON WHO MADE THE REQUEST WRITTEN NOTICE OF THE CHANGE.

(4) IF THE COMMISSIONER FAILS TO PROVIDE THE NOTICE REQUIRED UNDER THIS SUBSECTION, A PERSON IS NOT LIABLE FOR HIRING A PERSON WHO IS NOT AUTHORIZED TO PERFORM FARM LABOR CONTRACTING SERVICES IN THE STATE.

(C) CONTINUED USE.

NOTWITHSTANDING SUBSECTION (B)(4) OF THIS SECTION, A PERSON MAY NOT HIRE OR CONTINUE TO USE A FARM LABOR CONTRACTOR TO PERFORM A FARM LABOR CONTRACTING SERVICE AFTER THE PERSON RECEIVES NOTICE FROM THE COMMISSIONER OR OTHERWISE LEARNS THAT THE FARM LABOR CONTRACTOR IS NOT LICENSED.

REVISOR'S NOTE: Subsections (a) and (b)(2) through (c) of this section are new language derived without substantive change from former Art. 100, § 80D(b) and the first, third, and fourth sentences and, except as it related to the duty to keep a list, the second sentence of (a).

Subsection (b)(1) of this section is new language based on the requirement, in former Art. 100, § 80D(a), that the Commissioner "confirm" a response, which implied that the Commissioner might give an earlier, oral response.

In the introductory language of subsection (a) of this section, the word "ascertains" is substituted for the former word "verifies". Similarly, in subsection (a)(1) of this section, the word "confirmation" is substituted for the former word "verification". These substitutions avoid the connotation that the person or Commissioner must issue a signed statement, made under the penalties of perjury, to attest to the licensing status of a farm labor contractor.

Also in the introductory language of subsection (a) of this section, the reference to exceptions is added in light of § 7-102 of this title.

Also in the introductory language of subsection (a) of this section, the reference to ascertaining whether a farm labor contractor "is licensed" is substituted for the former reference to ascertaining whether the contractor "possesses a valid State certificate of registration", for precision, since an individual may be in possession of a valid license although the individual is not licensed. Similarly, in subsection (c) of this section, the reference to learning that an individual "is not licensed" is substituted for the former reference to learning that "a farm labor contractor lacks a certificate of registration or that the certificate has been revoked or suspended", for brevity and consistency.

Also in the introductory language of subsection (a) of this section, the former phrase "to supply migrant agricultural workers", which seemed to limit the type of service that requires certification of the licensing status, is deleted as inconsistent with subsection (c) of this section, which broadly precludes use of