

IF AN EMPLOYING UNIT REFUSES TO SUBMIT A REPORT REQUIRED UNDER THIS TITLE WITHIN 10 DAYS AFTER THE SECRETARY SENDS WRITTEN NOTICE TO THE LAST KNOWN ADDRESS OF THE EMPLOYING UNIT BY REGISTERED MAIL, ON A COMPLAINT FILED BY THE SECRETARY, A COURT MAY ENJOIN THE EMPLOYING UNIT FROM OPERATING UNTIL THE REPORT HAS BEEN SUBMITTED.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 95A, § 15(k), the second sentence of § 11(a)(1), and, as it indicated that the interest and penalty provisions of former § 15 applied to payments in lieu of contributions, § 8(d)(3)(vi).

In this section, the references to "certified" mail are deleted as included in the references to "registered" mail. See Art. 1, § 20 of the Code.

Also in this section, the phrase "of competent jurisdiction" is deleted as surplusage.

Defined terms: "Contributions" § 8-101

"Employing unit" § 8-101

"Reimbursement payment" § 8-101

"Secretary" § 8-101

#### 8-633. ACTION AGAINST PURCHASER OF BUSINESS.

##### (A) NOTICE OF INTENT TO ACQUIRE.

A PERSON WHO ACQUIRES THE BUSINESS, ORGANIZATION, TRADE, OR A SUBSTANTIAL PART OF THE ASSETS OF AN EMPLOYING UNIT SHALL NOTIFY THE SECRETARY IN WRITING BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, AT LEAST 10 DAYS BEFORE THE ACQUISITION.

##### (B) EFFECT OF FAILURE TO SUBMIT NOTICE.

IF A PERSON FAILS TO GIVE THE NOTICE REQUIRED UNDER SUBSECTION (A) OF THIS SECTION AND IF AT THE TIME OF ACQUISITION ANY CONTRIBUTION, REIMBURSEMENT PAYMENT, OR INTEREST IS DUE AND UNPAID BY THE PREVIOUS EMPLOYING UNIT:

(1) THE ACQUISITION SHALL BE VOID AS TO THE SECRETARY;  
AND

(2) THE SECRETARY MAY PROCEED AGAINST THE PERSON FOR COLLECTION IN THE MANNER PROVIDED IN THIS PART IV OF THIS SUBTITLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 95A, § 15(h), the second sentence of § 11(a)(1), and § 8(d)(3)(vi).