

In subsection (a) of this section, the former words "firm, company or corporation, association or joint partnership" are deleted as included in the defined term "person". As to the definition of "person", see § 1-101 of this article.

In subsection (b)(1) of this section, the former minimum penalty of \$100 is deleted to conform to the statement of legislative policy in Art. 27, § 643 of the Code, which sets forth the general rule that, notwithstanding a statutory minimum penalty, a court may impose a lesser penalty of the same character. The District Court has exclusive original jurisdiction over criminal offenses for which the penalty is less than \$2,500. In 1972, the power conferred under Art. 27, § 643 was extended to the District Court with respect to crimes that existed at that time, including former Art. 101, § 4, which first was enacted by Ch. 258, Acts of 1949.

Also in subsection (b)(1) of this section, the former phrase "in the discretion of the court" is deleted as surplusage.

Defined terms: "Commission" § 9-101
"Person" § 1-101

9-1105. DISCHARGE OF EMPLOYEE FOR FILING CLAIM.

(A) PROHIBITED ACT.

AN EMPLOYER MAY NOT DISCHARGE A COVERED EMPLOYEE FROM EMPLOYMENT SOLELY BECAUSE THE COVERED EMPLOYEE FILES A CLAIM FOR COMPENSATION UNDER THIS TITLE.

(B) PENALTY.

A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$500 OR IMPRISONMENT NOT EXCEEDING 1 YEAR OR BOTH.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 101, § 39A.

In subsection (a) of this section, the phrase "entitled to the benefits of this article", which formerly modified "employee", is deleted since it would have allowed an employer to discharge a covered employee who files a claim but is denied benefits, even if the covered employee had reasonable grounds for filing the claim. Allowing the discharge would be contrary to the intention of this section to prohibit the discharge of a covered employee who files a claim.

In subsection (b) of this section, the former phrase "in the discretion of the court" is deleted as surplusage.

Defined terms: "Compensation" § 9-101
"Person" § 1-101