

(B) NOTHING IN THIS SUBTITLE SHALL PRECLUDE INDEMNIFICATION OF A FIDUCIARY IN ACCORDANCE WITH THE PROVISIONS OF § 1-207 OF THIS SUBTITLE.

COMMITTEE NOTE: This section formerly appeared as Art. 73B, § 78.

The only changes are technical.

1-209. DISQUALIFICATION TO SERVE AS FIDUCIARY.

(A) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, NO PERSON WHO HAS BEEN CONVICTED OF, OR HAS BEEN IMPRISONED AS A RESULT OF HIS CONVICTION OF, ANY FELONY, OR ANY MISDEMEANOR INVOLVING MORAL TURPITUDE, OR VIOLATION OF ANY PROVISION OF THIS SUBTITLE, OR CONSPIRACY TO COMMIT ANY OF THESE CRIMES, OR ATTEMPT TO COMMIT ANY OF THESE CRIMES, OR A CRIME IN WHICH ANY OF THE FOREGOING CRIMES IS AN ELEMENT, SHALL SERVE OR BE PERMITTED TO SERVE AS A FIDUCIARY WITH ANY SYSTEM. NO PERSON SHALL KNOWINGLY PERMIT ANY OTHER PERSON TO SERVE AS A FIDUCIARY IN VIOLATION OF THIS SECTION.

(B) ANY PERSON WHO INTENTIONALLY VIOLATES THIS SECTION IS SUBJECT TO A FINE OF NOT MORE THAN \$10,000 OR IMPRISONMENT FOR NOT MORE THAN ONE YEAR, OR BOTH.

(C) FOR THE PURPOSES OF THIS SECTION A PERSON SHALL BE DEEMED TO HAVE BEEN "CONVICTED" AND UNDER THE DISABILITY OF "CONVICTION" FROM THE DATE OF JUDGMENT OF THE TRIAL COURT OR THE DATE OF THE FINAL SUSTAINING OF JUDGMENT ON APPEAL, WHICHEVER IS THE LATER EVENT.

COMMITTEE NOTE: This section formerly appeared as Art. 73B, § 79.

1-210. BOND.

(A) EVERY FIDUCIARY OF A SYSTEM SHALL BE BONDED PURSUANT TO ARTICLE 78A, §§ 46 THROUGH 50 OF THE CODE.

(B) IT IS UNLAWFUL FOR ANY FIDUCIARY OF A SYSTEM TO WHOM SUBSECTION (A) OF THIS SECTION APPLIES TO RECEIVE, HANDLE, DISBURSE, OR OTHERWISE EXERCISE CUSTODY OR CONTROL OF ANY OF THE FUNDS OR OTHER PROPERTY OF ANY SYSTEM, WITHOUT BEING BONDED AS REQUIRED BY SUBSECTION (A) OF THIS SECTION, AND IT SHALL BE UNLAWFUL FOR ANY FIDUCIARY OF A SYSTEM, OR ANY OTHER PERSON HAVING AUTHORITY TO DIRECT THE PERFORMANCE OF THESE FUNCTIONS, TO PERMIT THESE FUNCTIONS, OR ANY OF THEM, TO BE PERFORMED BY ANY FIDUCIARY OF A SYSTEM, WITH RESPECT TO WHOM THE REQUIREMENTS OF SUBSECTION (A) HAVE NOT BEEN MET.