

(2) NOTWITHSTANDING PARAGRAPH (1) OF THIS SUBSECTION, IN ANY HEARING HELD ON THE GROUNDS FOR REVOCATION UNDER SUBSECTION (A) OF THIS SECTION, A PRIVATE CAREER SCHOOL MAY PRESENT MATTERS IN MITIGATION OF THE OFFENSE ALLEGED BY THE COMMISSION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1992.

Approved April 7, 1992.

CHAPTER 11

(Senate Bill 120)

AN ACT concerning

Uninsured Employers' Fund – Institution of Criminal Prosecution

FOR the purpose of authorizing the Uninsured Employers' Fund to institute prosecution for failure to secure workers' compensation insurance within certain time limitations; and generally relating to prosecutions for failure to secure workers' compensation insurance.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 5-106(k)

Annotated Code of Maryland

(1989 Replacement Volume and 1991 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND. That the Laws of Maryland read as follows:

Article – Courts and Judicial Proceedings

5-106.

(k) A prosecution for the offense of failure to secure workers' compensation insurance in accordance with Title 9, Subtitle 4 of the Labor and Employment Article shall be instituted within 1 year after the State Workers' Compensation Commission finds, by order, that the employer was uninsured OR, PURSUANT TO THE AUTHORITY CONTAINED IN § 9-1003 OF THE LABOR AND EMPLOYMENT ARTICLE, WITHIN 1 YEAR AFTER THE UNINSURED EMPLOYERS' FUND MAKES PAYMENT UNDER § 9-1003 OF THE LABOR AND EMPLOYMENT ARTICLE, AS DIRECTED BY THE COMMISSION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1992.