

HOUSE BILL 1263

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3lr2954
CF SB 894

By: **Delegate Frank**

Introduced and read first time: February 8, 2013

Assigned to: Health and Government Operations

Reassigned: Judiciary, February 18, 2013

Committee Report: Favorable

House action: Adopted

Read second time: March 19, 2013

CHAPTER _____

1 AN ACT concerning

2 **Prosecution of Offenses Related to Practicing Medicine Without a License –**
3 **Statute of Limitations – Repeal**

4 FOR the purpose of repealing the requirement that a prosecution for an offense under
5 a certain provision of law of practicing, attempting to practice, or offering to
6 practice medicine without a license be instituted within a certain number of
7 years after the offense was committed; making conforming changes; and
8 generally relating to the prosecution of offenses related to practicing medicine
9 without a license.

10 BY repealing

11 Article – Courts and Judicial Proceedings

12 Section 5–106(r)

13 Annotated Code of Maryland

14 (2006 Replacement Volume and 2012 Supplement)

15 BY repealing and reenacting, with amendments,

16 Article – Real Property

17 Section 14–117(l)

18 Annotated Code of Maryland

19 (2010 Replacement Volume and 2012 Supplement)

20 BY renumbering

21 Article – Courts and Judicial Proceedings

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Section 5–106(s) through (cc), respectively
2 to be Section 5–106(r) through (bb), respectively
3 Annotated Code of Maryland
4 (2006 Replacement Volume and 2012 Supplement)

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

7 **Article – Courts and Judicial Proceedings**

8 5–106.

9 [(r) A prosecution for an offense under § 14–601 of the Health Occupations
10 Article of practicing, attempting to practice, or offering to practice medicine without a
11 license shall be instituted within 3 years after the offense was committed.]

12 **Article – Real Property**

13 14–117.

14 (l) (1) This subsection applies to Anne Arundel County.

15 (2) Subject to paragraph (3) of this subsection, if Anne Arundel County
16 or the State has initiated enforcement action for a violation of a local law described in
17 [§ 5–106(aa)(1)] **§ 5–106(Z)(1)** of the Courts and Judicial Proceedings Article, a
18 contract for sale of the real property where the violation occurred shall disclose:

19 (i) The nature of the violation;

20 (ii) The status of any ongoing proceedings to enforce the
21 violation; and

22 (iii) Any actions the buyer of the real property may be required
23 to take with respect to the property in order to cure the violation.

24 (3) If a violation of a local law described in [§ 5–106(aa)(1)] **§**
25 **5–106(Z)(1)** of the Courts and Judicial Proceedings Article is cured and a buyer of the
26 real property where the violation occurred would not have any obligation to cure the
27 violation, paragraph (2) of this subsection does not apply.

28 SECTION 2. AND BE IT FURTHER ENACTED, That Section(s) 5–106(s)
29 through (cc), respectively, of Article – Courts and Judicial Proceedings of the
30 Annotated Code of Maryland be renumbered to be Section(s) 5–106(r) through (bb),
31 respectively.

32 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
33 October 1, 2013.