

40. *Enforcement; Penalties.*

Every person who shall willfully do any act of the acts prohibited by Section 38 of this subtitle shall be guilty of a misdemeanor and shall be punished by a fine of up to ~~\$50,000~~ \$500,000, or by imprisonment not to exceed six months, or both.

(1) The Attorney General with such assistance as he may from time to time require of the State's Attorneys in the several counties and Baltimore City shall investigate suspected criminal violations of this subtitle and shall, WITH THE STATE'S ATTORNEY FOR THE COUNTY OR BALTIMORE CITY WHERE THE PROSECUTION IS BROUGHT, commence and try all prosecutions under this subtitle. Prosecutions under this subtitle may be commenced by complaint, information, or indictment. With respect to the commencement and trial of such prosecution, the Attorney General shall have all of the powers and duties vested by law in State's Attorneys with respect to criminal prosecutions generally.

(2) A prosecution for any offense in violation of this subtitle must be commenced within four years after the commission thereof.

(3) The Attorney General shall not commence prosecutions under this subtitle against any defendant who, at the time, is a defendant with regard to any current pending complaint, information or indictment, involving substantially the same subject matter, filed by the United States for violation, or alleged violation, of the Federal Anti-Trust Statutes (including, but not being limited, Act of July 2, 1890, Ch. 647, 26 U.S. Stat. 209, 15 U.S.C.A., Secs. 1-7; Act of Oct. 15, 1914, Ch. 323, 38 U.S. Stat. 730, 15 U.S.C.A. Secs. 12-27, 44; Act of August 17, 1937, Ch. 690, Title VIII, 50 U.S. Stat. 693, 15 U.S.C.A. Sec. 1; Act of July 7, 1955, Ch. 281, 69 U.S. Stat. 282, 15 U.S.C.A. Secs. 1-3; Act of May 26, 1938, Ch. 283, 52 U.S. Stat. 446, 15 U.S.C.A. Sec. 13-C; and any similar Acts passed in the future).

41. *Civil Actions.*

The following civil actions and remedies are authorized under this subtitle:

(1) The Attorney General, with such assistance as he may from time to time require of the State's Attorneys in the several counties and Baltimore City, shall institute proceedings in equity in the Circuit Court to prevent and restrain violations of Section 38 of this subtitle. In such a proceeding, the court shall determine whether a violation has been committed, and shall enter such judgment or decree as it considers necessary to remove the effects of any violation which it finds, and to prevent such violation from continuing or from being renewed in the future. The court, in its discretion, may exercise all equitable powers necessary for this purpose, including, but not limited to, injunction, divestiture of property, divorcement of business units, and suspension or termination of the right of foreign corporations or associations to do business in the State of Maryland.

(2) Any person who has been injured in his business or property, or is threatened with such injury, by a violation of Section 38 of this subtitle may maintain an action in the Circuit Court for damages, or for an injunction, or both, against any person who has committed such violation. If, in an action for an injunction, the court issues