

REVISOR'S NOTE: This section formerly appeared as Article 59A, § 17(a)(2) and (h).

In subsection (a)(1) of this section, the term "administrative head" is substituted for the reference to "the director or other individual in charge of the facility", to avoid confusion with references to the Director of the Administration and to standardize references to this position. See revisor's note to § 7-204(c) of this title.

As to subsection (a)(2) of this section and the reference to the records of individuals who are "evaluated or treated in a facility", see revisor's note to § 7-610 of this title.

The only other changes are in style.

Former Article 59A, § 17(a)(1), which was the standard introductory language to a definition section, is deleted as unnecessary.

Defined term: "Facility" § 7-101

7-904. UNAUTHORIZED SOLICITATION OF OR USE OF FUNDS.

(A) APPLICATION TO EMPLOYEES.

A STATE EMPLOYEE MAY NOT RECEIVE OR SOLICIT, DIRECTLY OR INDIRECTLY, ANY REMUNERATION FOR PROVIDING SERVICES TO A MENTALLY RETARDED INDIVIDUAL IN A STATE FACILITY, EXCEPT FOR COMPENSATION PROVIDED FOR IN THE STATE BUDGET, THOSE CHARGES PROVIDED FOR IN TITLE 16 OF THIS ARTICLE, AND FUNDS RECEIVED IN ACCORDANCE WITH SUBSECTION (B) OF THIS SECTION.

(B) ACCEPTANCE OF NONBUDGETED FUNDS.

(1) A STATE FACILITY MAY ACCEPT NONBUDGETED FUNDS THAT ARE AVAILABLE TO IT BUT ARE NOT PART OF THE APPROPRIATION PROCESS OF THIS STATE.

(2) A STATE FACILITY MAY ACCEPT THESE FUNDS ONLY UNDER THE POLICY, RULES, OR REGULATIONS THAT THE SECRETARY SETS.

(C) PENALTY.

A PERSON WHO KNOWINGLY VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$100.

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 59A, §§ 3(n) and 23A.