

holder meets the current requirements for a new license or letter of compliance.] PRIOR TO EXPIRATION OF AN INITIAL LICENSE OR LETTER OF COMPLIANCE, AND ON APPLICATION BY THE LICENSEE OR LETTER OF COMPLIANCE HOLDER THAT MEETS THE REQUIREMENTS SET BY THE DEPARTMENT, A CONTINUING LICENSE OR LETTER OF COMPLIANCE MAY BE ISSUED THAT REMAINS IN EFFECT UNTIL SURRENDERED, SUSPENDED, ~~OR REVOKED~~ REVOKED, OR REPLACED BY A CONDITIONAL LICENSE OR LETTER OF COMPLIANCE.

(C) THE DEPARTMENT SHALL INSPECT EACH CHILD CARE CENTER OPERATING UNDER A LICENSE OR A LETTER OF COMPLIANCE:

(1) ON AN ANNOUNCED BASIS PRIOR TO ISSUING THE LICENSE OR LETTER OF COMPLIANCE AND AT LEAST EVERY 2 YEARS THEREAFTER TO DETERMINE WHETHER APPLICABLE REQUIREMENTS, INCLUDING RECORD KEEPING REQUIREMENTS, ARE BEING MET; AND

(2) ON AN UNANNOUNCED BASIS AT LEAST ONCE DURING EACH 12-MONTH PERIOD THAT THE LICENSE OR LETTER OF COMPLIANCE IS IN EFFECT TO DETERMINE WHETHER SAFE AND APPROPRIATE CHILD CARE IS BEING PROVIDED.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect January 1, 2005.

Approved May 26, 2004.

CHAPTER 437

(Senate Bill 88)

AN ACT concerning

Commercial Law - Maryland Telephone Consumer Protection Act

FOR the purpose of prohibiting a person from violating the federal Telemarketing and Consumer Fraud and Abuse Prevention Act or the federal Telephone Consumer Protection Act; providing that a violation of this Act is an unfair or deceptive trade practice and is subject to certain enforcement actions and penalties; authorizing an individual who is affected by a violation of this Act to bring an action against a violator to recover reasonable attorney's fees and damages in a certain amount; providing that each prohibited telephone solicitation and each prohibited practice during a telephone solicitation is a separate violation of this Act; ~~providing that this Act does not apply to certain telephone calls initiated for a charitable organization by certain persons; expressing the intent of the General Assembly; defining certain terms; requiring the Office of the Attorney General to report to certain committees of the General Assembly on or before a certain date on the enforcement of this Act;~~ and generally relating to telephones and consumer protection.

BY repealing and reenacting, with amendments,