

(2) A distribution of moneys in an escrow account may be made only by a determination and order of the Attorney General under this section.

(3) The Attorney General may adopt regulations for the purpose of implementation of this section.

(n) Any person aggrieved by a final determination and order of the Attorney General under this section may seek judicial review.

(o) (1) Any person who willfully fails to do any of the following is subject to a civil penalty of not less than \$10,000 for each offense and not more than an amount equal to 3 times the contract amount:

(i) Submit to the Attorney General a copy of the contract described in subsection (b) of this section; or

(ii) Pay over to the Attorney General any moneys or other consideration as required by this section.

(2) If 2 or more persons are subject to the penalties provided in this section, those persons shall be jointly and severally liable for the payment of the penalty imposed.

(3) After notice and opportunity to be heard is provided, the Attorney General may by order assess the penalties described in this section.

(4) If not paid within 30 days from the date of the order, any penalty assessed under this section shall bear interest at the rate of 1 percent per month, compounded monthly.

(5) An action to recover a civil penalty assessed under this section may be brought by the Attorney General in a court of competent jurisdiction within 6 years after the cause of action accrues.

(6) Any money recovered under item (5) of this subsection shall be paid into the Maryland Victims of Crime Fund.

(p) (1) If any person violates or threatens to violate any provision of this section, the Attorney General may bring a proceeding against the person in a court of competent jurisdiction to restrain the person from continuing the violation or carrying out the threat of violation.

(2) In any proceeding under this subsection, a court shall have jurisdiction to grant to the Attorney General, without bond or other undertaking, a prohibitory or mandatory injunction as the facts may warrant, including temporary restraining orders and preliminary injunctions to prevent payments under a contract in violation of this section.

**DRAFTER'S NOTE:** This section formerly was Art. 27, § 764 of the Code.

The only changes are in style.

As to the definition of "crime", see § 857 of this article.