

In paragraph (2)(ii) of this subsection, the word "lawyer" is substituted for the former reference to "attorneys-at-law" to conform to terminology used in Title 10 of the Business Occupations and Professions Article.

In paragraph (2)(iii) of this subsection, the former condition "is not licensed under this subtitle" is deleted to avoid circuitry since these activities are excluded from the definition of "employment agency".

In paragraph (2)(iii)3 of this section, the words "make a contract" are substituted for the former words "sign a contract" to include an oral contract.

The second sentence of former Art. 56, § 162(a), which stated that theatrical employment agencies were within the purview of the former subtitle, is deleted as unnecessary since the substance of the former definition of "theatrical employment agency" is included in the defined term "employment agency".

The eighth sentence of former Art. 56, § 162(a), which provided that the former subsection did not affect Art. 49B, § 15(c), is deleted as unnecessary. Art. 49B, § 15(c) defines "employment agency" for purposes of the discrimination in employment subtitle of the Human Relations Commission law. By its own terms, the former definition of "employment agency" in Art. 56, § 162(a), revised as the defined term "employment agency", is limited to the provisions revised in this title. Similarly, by its own terms, the definition of "employment agency" in Art. 49B, § 15(c) is limited to the subtitle on discrimination in employment under the Human Relations Commission.

The Business Regulation Article Review Committee notes, for consideration by the General Assembly, that the former definition of "theatrical employment agency" in the third sentence of former Art. 56, § 162(a), now revised as paragraph (1)(iii) of this subsection, did not include references to "offers" or "for a fee". To conform to paragraph (1)(i) and (iv) of this subsection, paragraph (1)(iii) of this subsection includes references to "offers" and "for a fee".

The Business Regulation Article Review Committee also notes that paragraph (1)(iv)1 and 2 of this subsection is joined by the word "and". The General Assembly may have intended that "or" be used so that doing either activity would subject the person to regulation as an employment agency.

The Business Regulation Article Review Committee also notes, for consideration by the General Assembly, that the word "continental", which modifies "United States" in paragraph (1)(iv)2 of this subsection, may be too narrow since an employment agency may recruit, e.g., an individual from Alaska or Hawaii who does not need an alien labor certificate or an immigrant visa to work.

Defined terms: "Client" § 9-101

"Person" § 1-101