

(11) THE LICENSEE SOLICITS FOR OTHER EMPLOYMENT AN INDIVIDUAL WHO IS EMPLOYED BY AN EMPLOYER WITH WHOM THE LICENSEE PLACED THE INDIVIDUAL, UNLESS THE INDIVIDUAL REACTIVATES THE APPLICATION;

(12) THE LICENSEE ENGAGES IN FRAUD OR DISHONEST DEALING; OR

(13) THE LICENSEE VIOLATES THIS TITLE.

(B) PENALTY INSTEAD OF REVOCATION OR SUSPENSION.

INSTEAD OF REVOKING OR SUSPENDING A LICENSE, THE COMMISSIONER MAY IMPOSE A PENALTY OF NOT LESS THAN \$25 AND NOT MORE THAN \$500.

REVISOR'S NOTE: The introductory language of subsection (a) of this section is new language derived without substantive change from the introductory language of former Art. 56, § 167 and the second sentence of § 169(a), as they related to an employment agency.

Subsection (a)(1) and (2) of this section is standard language added to conform to almost all of the occupational licensing acts adopted by the General Assembly in the past several years. See, e.g., the comparable sections on disciplinary actions in the various titles of the Business Occupations and Professions Article. The addition is supported by the reference, in former Art. 56, § 167(j), to engaging in conduct that constitutes fraud or dishonest dealing.

Subsection (a)(3) through (13) of this section is new language derived without substantive change from former Art. 56, § 167(a), (b), (c), (d), (e), except the sentence that related to reimbursement of applicants, (f), (g), except as it related to adopting regulations, (h), (i), and (j) and the second sentence of § 169(a), as it related to violating any provisions of the former subtitle.

Subsection (b) of this section is new language derived without substantive change from former Art. 56, § 169(c), as it related to an employment agency license.

In the introductory language of subsection (a) of this section, the power to "reprimand a licensee" is added to state specifically a power that is inherent in the express power to suspend or revoke a license. This addition conforms to the practice of the Commissioner.

In subsection (a)(4) of this section, the former specific word "plant" is deleted as included in "establishment".

In subsection (a)(10) of this section, the former words "representation", "notice", and "advertisement" are deleted as included in the word "information".