

HOUSE BILL 1309

C2

8lr2061

By: **Delegate McHale**

Introduced and read first time: February 8, 2008

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Business Regulation – Mold Remediation – Licensing**

3 FOR the purpose of requiring certain persons to be licensed by the Maryland Home
4 Improvement Commission to provide mold remediation services; requiring the
5 Secretary to adopt regulations for the licensure and regulation of mold
6 remediation services; providing that this Act does not limit the rights of certain
7 individuals to engage in mold remediation; establishing the purpose of this Act;
8 providing for the powers and duties of the Commission in licensing and
9 regulating mold remediation service providers; requiring all fees collected by the
10 Commission to be paid into the General Fund; requiring certain licensees to
11 maintain certain general liability insurance; providing for the qualifications and
12 applicant requirements of mold remediation supervisors and technicians;
13 authorizing the issuance and renewal of certain licenses; providing for the
14 expiration and renewal of certain licenses; authorizing the Secretary to deny a
15 license to an applicant, refuse to renew a license, reprimand a licensee, suspend
16 or revoke a license, or impose certain penalties under certain circumstances;
17 establishing certain hearing and appeal procedures for mold remediation
18 technicians and supervisors; prohibiting a licensee from employing certain
19 individuals or from engaging in certain practices; providing for certain criminal
20 and civil penalties; requiring certain persons performing mold remediation
21 services to be licensed on or before a certain date; defining certain terms; and
22 generally relating to the licensure and regulation of mold remediation services.

23 BY renumbering

24 Article – State Government

25 Section 8–403(b)(39) through (69), respectively

26 to be Section 8–403(b)(40) through (b)(70), respectively

27 Annotated Code of Maryland

28 (2004 Replacement Volume and 2007 Supplement)

29 BY adding to

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Article – Business Regulation
 2 Section 8–701 through 8–718 to be under the new subtitle “Subtitle 7. Mold
 3 Remediation Services”
 4 Annotated Code of Maryland
 5 (2004 Replacement Volume and 2007 Supplement)

6 BY repealing and reenacting, without amendments,
 7 Article – State Government
 8 Section 8–403(a)
 9 Annotated Code of Maryland
 10 (2004 Replacement Volume and 2007 Supplement)

11 BY adding to
 12 Article – State Government
 13 Section 8–403(b)(39)
 14 Annotated Code of Maryland
 15 (2004 Replacement Volume and 2007 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
 17 MARYLAND, That Section(s) 8–403(b)(39) through (69), respectively, of Article – State
 18 Government of the Annotated Code of Maryland be renumbered to be Section(s)
 19 8–403(b)(40) through (70), respectively.

20 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
 21 read as follows:

22 **Article – Business Regulation**

23 **SUBTITLE 7. MOLD REMEDIATION SERVICES.**

24 **8–701.**

25 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
 26 INDICATED.

27 (B) “ACCREDITATION BODY” MEANS THE AMERICAN INDOOR AIR
 28 QUALITY COUNCIL OR ANY OTHER NATIONALLY RECOGNIZED ACCREDITATION
 29 BODY THAT IS RECOGNIZED BY THE COMMISSION AND THAT OPERATES
 30 INDEPENDENTLY OF TRAINING ORGANIZATIONS OR INDUSTRY TRADE
 31 ASSOCIATIONS.

32 (C) “COMMISSION” MEANS THE MARYLAND HOME IMPROVEMENT
 33 COMMISSION.

1 (D) **“LICENSE” MEANS A LICENSE ISSUED BY THE COMMISSION TO**
2 **PERFORM OR ASSIST IN PERFORMING MOLD REMEDIATION SERVICES AND**
3 **INCLUDES:**

4 (1) **A MOLD REMEDIATION TECHNICIAN LICENSE; AND**

5 (2) **A MOLD REMEDIATION SUPERVISOR LICENSE.**

6 (E) **“MOLD” MEANS AN ORGANISM OF THE CLASS FUNGI THAT CAUSES**
7 **DISINTEGRATION OF ORGANIC MATTER AND PRODUCES SPORES, AS WELL AS**
8 **ANY SPORES, HYPHAE, AND MYCOTOXINS THAT ARE PRODUCED BY MOLD.**

9 (F) **“MOLD ASSESSMENT” MEANS:**

10 (1) **AN INSPECTION, INVESTIGATION, OR SURVEY OF A DWELLING**
11 **OR OTHER STRUCTURE TO PROVIDE INFORMATION TO THE OWNER REGARDING**
12 **THE PRESENCE, IDENTIFICATION, OR EVALUATION OF MOLD;**

13 (2) **THE DEVELOPMENT OF A MOLD MANAGEMENT PLAN; OR**

14 (3) **THE COLLECTION OR ANALYSIS OF A MOLD SAMPLE.**

15 (G) **“MOLD REMEDIATION” MEANS THE REMOVAL, CLEANING,**
16 **SANITIZING, DEMOLITION, OR OTHER TREATMENT OF MOLD OR**
17 **MOLD-CONTAMINATED MATTER, LIVE OR DEAD, THAT WAS NOT INTENDED TO**
18 **BE GROWN AT THAT LOCATION.**

19 **8-702.**

20 (A) **THIS SUBTITLE DOES NOT APPLY TO:**

21 (1) **THE PERFORMANCE OF MOLD REMEDIATION IN AN AREA LESS**
22 **THAN 10 SQUARE FEET;**

23 (2) **THE PERFORMANCE OF MOLD ASSESSMENTS; OR**

24 (3) **ROUTINE CLEANING THAT IS NOT PERFORMED FOR THE**
25 **PURPOSE OF MOLD REMEDIATION.**

26 (B) **THIS SUBTITLE DOES NOT LIMIT THE RIGHT OF:**

27 (1) **AN INDIVIDUAL RESIDENTIAL PROPERTY OWNER WHO**
28 **PERFORMS MOLD REMEDIATION ON THE INDIVIDUAL’S PROPERTY;**

1 (2) AN EMPLOYEE OF THE UNITED STATES GOVERNMENT, THE
2 STATE GOVERNMENT, A LOCAL GOVERNMENT, OR AN INDEPENDENT AGENCY
3 WHILE THAT EMPLOYEE IS PERFORMING MOLD REMEDIATION SERVICES ON OR
4 WITHIN BUILDINGS OR STRUCTURES OWNED OR SOLELY OCCUPIED BY THE
5 UNITED STATES GOVERNMENT, THE STATE GOVERNMENT, A LOCAL
6 GOVERNMENT, OR AN INDEPENDENT AGENCY;

7 (3) AN INDUSTRIAL HYGIENIST, AS DEFINED BY THE AMERICAN
8 INDUSTRIAL HYGIENE ASSOCIATION, A PROFESSIONAL ENGINEER, OR AN
9 ENVIRONMENTAL SANITARIAN WHO ENGAGES IN MOLD REMEDIATION
10 SERVICES; OR

11 (4) AN INDIVIDUAL REGULARLY EMPLOYED BY THE OWNER OF
12 PROPERTY, OR THE OWNER'S AGENT, TO ENGAGE IN MAINTENANCE AND REPAIR
13 WORK.

14 **8-703.**

15 THE PURPOSE OF THIS SUBTITLE IS TO ESTABLISH A LICENSING
16 PROGRAM FOR INDIVIDUALS WHO PERFORM OR ASSIST IN PERFORMING MOLD
17 REMEDIATION SERVICES TO:

18 (1) PROTECT THE PUBLIC;

19 (2) IMPROVE INDOOR AIR QUALITY; AND

20 (3) PROMOTE HIGH PROFESSIONAL STANDARDS.

21 **8-704.**

22 IN ADDITION TO ANY OTHER POWERS SET FORTH ELSEWHERE, THE
23 COMMISSION SHALL:

24 (1) ADOPT REGULATIONS TO CARRY OUT THIS SUBTITLE;

25 (2) ISSUE LICENSES;

26 (3) KEEP A LIST OF ALL LICENSEES; AND

27 (4) KEEP A RECORD OF ITS PROCEEDINGS.

28 **8-705.**

1 (A) SUBJECT TO SUBSECTIONS (B) AND (C) OF THIS SECTION, THE
2 COMMISSION MAY SET REASONABLE FEES FOR ITS SERVICES.

3 (B) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION,
4 REVENUES GENERATED BY THE COMMISSION SHALL BE AT LEAST EQUAL TO
5 EXPENSES INCURRED BY THE COMMISSION.

6 (C) THE COMMISSION SHALL PAY ALL MONEY COLLECTED UNDER THIS
7 SUBTITLE INTO THE GENERAL FUND OF THE STATE.

8 **8-706.**

9 (A) (1) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, A
10 PERSON LICENSED UNDER THIS SUBTITLE MAY NOT CONTRACT OR SOLICIT TO
11 ENGAGE IN THE BUSINESS OF MOLD REMEDIATION SERVICES UNLESS THE
12 WORK OF THE LICENSEE IS COVERED BY GENERAL LIABILITY INSURANCE IN
13 THE AMOUNT OF AT LEAST \$1,000,000.

14 (2) A LICENSEE SHALL GIVE THE COMMISSION NOTICE OF THE
15 CANCELLATION OF INSURANCE AT LEAST 10 DAYS BEFORE THE EFFECTIVE
16 DATE OF THE CANCELLATION.

17 (B) A LICENSED MOLD REMEDIATION TECHNICIAN OR SUPERVISOR
18 NEED NOT OBTAIN SEPARATE INSURANCE WHILE PERFORMING OR ASSISTING IN
19 PERFORMING MOLD REMEDIATION SERVICES UNDER THE CONTROL AND
20 SUPERVISION OF A LICENSED FIRM.

21 **8-707.**

22 (A) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE, AN
23 INDIVIDUAL SHALL BE LICENSED BY THE COMMISSION BEFORE THE
24 INDIVIDUAL PERFORMS OR ASSISTS IN PERFORMING MOLD REMEDIATION
25 SERVICES IN THE STATE.

26 (B) (1) TO QUALIFY FOR A LICENSE, AN APPLICANT SHALL MEET THE
27 REQUIREMENTS OF THIS SECTION.

28 (2) IF THE APPLICANT IS A FIRM, THE FIRM SHALL APPOINT A
29 FIRM MEMBER AS A REPRESENTATIVE MEMBER TO MAKE THE APPLICATION ON
30 BEHALF OF THE FIRM.

31 (C) AN APPLICANT FOR A MOLD REMEDIATION SUPERVISOR LICENSE
32 SHALL:

1 (1) **BE AT LEAST 18 YEARS OLD;**

2 (2) **BE OF GOOD MORAL CHARACTER; AND**

3 (3) **BE ACTIVELY CERTIFIED BY AN ACCREDITATION BODY AS A**
4 **MICROBIAL REMEDIATION SUPERVISOR.**

5 (D) **AN APPLICANT FOR A MOLD REMEDIATION TECHNICIAN LICENSE**
6 **SHALL:**

7 (1) **BE AT LEAST 18 YEARS OLD;**

8 (2) **BE OF GOOD MORAL CHARACTER; AND**

9 (3) **BE ACTIVELY CERTIFIED BY AN ACCREDITATION BODY AS A**
10 **MICROBIAL REMEDIATOR.**

11 (E) **AN APPLICANT FOR A MOLD REMEDIATION FIRM LICENSE SHALL:**

12 (1) **BE AT LEAST 18 YEARS OLD;**

13 (2) **BE OF GOOD MORAL CHARACTER; AND**

14 (3) **BE ACTIVELY CERTIFIED BY AN ACCREDITATION BODY AS A**
15 **MICROBIAL REMEDIATION SUPERVISOR.**

16 **8-708.**

17 (A) **AN APPLICANT FOR A LICENSE SHALL:**

18 (1) **SUBMIT AN APPLICATION TO THE COMMISSION IN THE FORM**
19 **THAT THE COMMISSION PROVIDES;**

20 (2) **PAY A NONREFUNDABLE APPLICATION FEE ESTABLISHED**
21 **THROUGH REGULATION;**

22 (3) **SUBMIT PROOF OF CERTIFICATION BY AN ACCREDITATION**
23 **BODY AS A MOLD REMEDIATION SUPERVISOR OR REMEDIATOR, WHICHEVER IS**
24 **APPLICABLE;**

25 (4) **IF APPLYING FOR A FIRM LICENSE, SUBMIT PROOF OF**
26 **GENERAL LIABILITY INSURANCE AS REQUIRED BY § 8-706 OF THIS SUBTITLE;**
27 **AND**

1 (5) PROVIDE ANY OTHER INFORMATION THE COMMISSION MAY
2 REQUIRE.

3 (B) THE APPLICATION FORM PROVIDED BY THE COMMISSION SHALL
4 REQUIRE AN APPLICANT TO PROVIDE:

5 (1) THE APPLICANT'S NAME;

6 (2) THE APPLICANT'S BUSINESS ADDRESS, TELEPHONE NUMBER,
7 AND, IF APPLICABLE, ELECTRONIC MAIL ADDRESS;

8 (3) THE APPLICANT'S SOCIAL SECURITY NUMBER; AND

9 (4) ANY OTHER INFORMATION THAT THE COMMISSION DEEMS
10 NECESSARY.

11 **8-709.**

12 (A) THE COMMISSION MAY GRANT A WAIVER TO THE REQUIREMENT
13 FOR A LICENSE ONLY IF THE APPLICANT:

14 (1) PAYS THE APPROPRIATE APPLICATION FEE; AND

15 (2) PROVIDES ADEQUATE EVIDENCE THAT THE APPLICANT:

16 (I) MEETS THE QUALIFICATIONS OTHERWISE REQUIRED BY
17 THIS SUBTITLE; AND

18 (II) HAS AN ACTIVE LICENSE FROM ANOTHER STATE WITH
19 LICENSING REQUIREMENTS THAT ARE AT LEAST EQUIVALENT TO THE
20 LICENSING REQUIREMENTS OF THIS STATE.

21 (B) THE COMMISSION WILL ISSUE THE LICENSE TO EACH APPLICANT
22 WHO MEETS THE REQUIREMENTS OF THIS SUBTITLE AND THE REGULATIONS
23 ADOPTED UNDER IT.

24 **8-710.**

25 (A) UNLESS THE LICENSE IS RENEWED AS PROVIDED IN THIS SECTION,
26 A LICENSE EXPIRES 2 YEARS AFTER THE DATE OF ISSUANCE.

27 (B) BEFORE THE LICENSE EXPIRES, THE LICENSEE MAY RENEW IT FOR
28 AN ADDITIONAL 2-YEAR TERM, IF THE LICENSEE:

1 (1) **OTHERWISE IS ENTITLED TO BE GRANTED A LICENSE;**

2 (2) **PAYS TO THE COMMISSION A RENEWAL FEE ESTABLISHED BY**
3 **THE COMMISSION; AND**

4 (3) **SUBMITS:**

5 (I) **PROOF OF INSURANCE, IF APPLICABLE;**

6 (II) **A RENEWAL APPLICATION IN THE FORM THAT THE**
7 **COMMISSION PROVIDES; AND**

8 (III) **PROOF OF THE LICENSEE'S ACTIVE CERTIFICATION OR**
9 **RECERTIFICATION AS A MICROBIAL REMEDIATION SUPERVISOR OR MICROBIAL**
10 **REMIANIATOR.**

11 (C) **THE COMMISSION SHALL RENEW THE LICENSE OF EACH LICENSEE**
12 **WHO MEETS THE REQUIREMENTS OF THIS SECTION.**

13 (D) (1) **IF APPLICATION FOR RESTORATION IS MADE WITHIN 90 DAYS**
14 **OF EXPIRATION OF A LICENSE, THE LICENSE MAY BE RESTORED ONLY ON**
15 **PAYMENT OF A RENEWAL FEE.**

16 (2) **IF APPLICATION FOR RESTORATION IS NOT MADE WITHIN THE**
17 **90-DAY PERIOD, THE COMMISSION MAY REQUIRE COMPLIANCE WITH THE**
18 **PROCESS FOR INITIAL APPLICATIONS AS IF THE APPLICANT HAD NEVER BEEN**
19 **LICENSED.**

20 **8-711.**

21 (A) **THE COMMISSION MAY DENY A LICENSE TO ANY APPLICANT,**
22 **REPRIMAND ANY LICENSEE, OR SUSPEND OR REVOKE A LICENSE AFTER A**
23 **PUBLIC HEARING CONDUCTED IN ACCORDANCE WITH THE PROVISIONS OF §**
24 **8-712 OF THIS TITLE, IF THE COMMISSION FINDS THAT THE INDIVIDUAL:**

25 (1) **OBTAINED A LICENSE BY FALSE OR FRAUDULENT**
26 **REPRESENTATION;**

27 (2) **TRANSFERRED THE AUTHORITY GRANTED BY THE LICENSE TO**
28 **ANOTHER PERSON;**

29 (3) **WILLFULLY OR DELIBERATELY DISREGARDED AND VIOLATED**
30 **ANY REGULATIONS ESTABLISHED BY THE COMMISSION UNDER THIS SUBTITLE;**

1 (4) WILLFULLY OR DELIBERATELY DISREGARDED AND VIOLATED
2 LAWS OF THE STATE OR OF ANY MUNICIPALITY, CITY, OR COUNTY OF THE
3 STATE;

4 (5) IS CONVICTED OF:

5 (I) A FELONY; OR

6 (II) A MISDEMEANOR THAT IS DIRECTLY RELATED TO THE
7 FITNESS AND QUALIFICATION OF THE APPLICANT OR LICENSEE TO PROVIDE
8 MOLD REMEDIATION SERVICES;

9 (6) AIDED OR ABETTED A PERSON TO EVADE A PROVISION OF
10 THIS SUBTITLE BY ALLOWING A LICENSE TO BE USED BY AN UNLICENSED
11 PERSON, FIRM, OR CORPORATION;

12 (7) PERFORMED WORK UNDER A MOLD REMEDIATION SERVICES
13 CONTRACT OR PROJECT THAT IS INADEQUATE OR INCOMPLETE;

14 (8) MADE ANY MATERIAL MISREPRESENTATION IN THE
15 PROCUREMENT OF A MOLD REMEDIATION SERVICES CONTRACT OR PROJECT;
16 OR

17 (9) VIOLATES THIS SUBTITLE.

18 (B) SUBJECT TO THE HEARING PROVISIONS OF § 8-712 OF THIS TITLE,
19 THE COMMISSION MAY REPRIMAND A LICENSEE OR SUSPEND OR REVOKE A
20 LICENSE OF A LICENSEE FOR A VIOLATION OF THIS TITLE BY AN AGENT,
21 DIRECTOR, EMPLOYEE, MANAGER, OFFICER, PARTNER, OR SALESPERSON OF
22 THE LICENSEE, UNLESS THE COMMISSION FINDS THAT THE LICENSEE:

23 (1) HAD NO KNOWLEDGE OF THE WRONGFUL CONDUCT; OR

24 (2) COULD NOT PREVENT THE VIOLATION.

25 (C) INSTEAD OF OR IN ADDITION TO REPRIMANDING A LICENSEE OR
26 SUSPENDING OR REVOKING A LICENSE, THE COMMISSION MAY IMPOSE A CIVIL
27 PENALTY UNDER § 8-620 OF THIS TITLE.

28 (D) THE COMMISSION SHALL CONSIDER THE FOLLOWING FACTS IN THE
29 GRANTING, DENIAL, RENEWAL, SUSPENSION, OR REVOCATION OF A LICENSE OR
30 THE REPRIMAND OF A LICENSEE WHEN AN APPLICANT OR LICENSEE IS
31 CONVICTED OF A FELONY OR MISDEMEANOR:

- 1 (1) **THE NATURE OF THE CRIME;**
- 2 (2) **THE RELATIONSHIP OF THE CRIME TO THE ACTIVITIES**
3 **AUTHORIZED BY THE LICENSE;**
- 4 (3) **WITH RESPECT TO A FELONY, THE RELEVANCE OF THE**
5 **CONVICTION TO THE FITNESS AND QUALIFICATION OF THE APPLICANT OR**
6 **LICENSEE TO PERFORM MOLD REMEDIATION SERVICES;**
- 7 (4) **THE LENGTH OF TIME SINCE THE CONVICTION; AND**
- 8 (5) **THE BEHAVIOR AND ACTIVITIES OF THE APPLICANT OR**
9 **LICENSEE BEFORE AND AFTER THE CONVICTION.**

10 **(E) THE COMMISSION SHALL PAY ANY PENALTY COLLECTED UNDER**
11 **THIS SUBSECTION INTO THE GENERAL FUND OF THE STATE.**

12 **8-712.**

13 **(A) EXCEPT AS OTHERWISE PROVIDED IN TITLE 10, SUBTITLE 2 OF THE**
14 **STATE GOVERNMENT ARTICLE, BEFORE THE COMMISSION TAKES ANY FINAL**
15 **ACTION UNDER THIS SUBTITLE, THE COMMISSION SHALL GIVE THE INDIVIDUAL**
16 **AGAINST WHOM THE ACTION IS CONTEMPLATED AN OPPORTUNITY FOR A**
17 **HEARING BEFORE THE COMMISSION.**

18 **(B) THE COMMISSION SHALL GIVE NOTICE AND HOLD THE HEARING IN**
19 **ACCORDANCE WITH TITLE 10, SUBTITLE 2 OF THE STATE GOVERNMENT**
20 **ARTICLE.**

21 **(C) THE COMMISSION MAY ADMINISTER OATHS IN CONNECTION WITH**
22 **ANY PROCEEDING UNDER THIS SECTION.**

23 **(D) IF, AFTER DUE NOTICE, THE INDIVIDUAL AGAINST WHOM THE**
24 **ACTION IS CONTEMPLATED FAILS OR REFUSES TO APPEAR, NEVERTHELESS THE**
25 **COMMISSION MAY HEAR AND DETERMINE THE MATTER.**

26 **8-713.**

27 **ANY PERSON AGGRIEVED BY A FINAL DECISION OF THE COMMISSION MAY**
28 **TAKE AN APPEAL AS ALLOWED IN §§ 10-222 AND 10-223 OF THE STATE**
29 **GOVERNMENT ARTICLE.**

30 **8-714.**

1 (A) EACH LICENSED MOLD REMEDIATION SUPERVISOR OR TECHNICIAN
2 SHALL DISPLAY:

3 (1) THE LICENSE AND THE LICENSE NUMBER CONSPICUOUSLY IN
4 THE PRINCIPAL PLACE OF BUSINESS OF THE LICENSEE; AND

5 (2) THE LICENSE NUMBER OF THE LICENSEE ON EACH VEHICLE
6 USED ON THE JOB FOR PERFORMING MOLD REMEDIATION SERVICES.

7 (B) EACH LICENSEE SHALL GIVE THE COMMISSION NOTICE OF ANY
8 CHANGE OF NAME, ADDRESS, OR EMPLOYMENT FROM THAT WHICH APPEARS ON
9 THE CURRENT LICENSE, AT LEAST 10 WORKING DAYS BEFORE THE CHANGE IS
10 TO TAKE EFFECT.

11 **8-715.**

12 (A) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE, A HOLDER OF
13 A MOLD REMEDIATION LICENSE MAY NOT EMPLOY AN INDIVIDUAL TO PERFORM
14 OR ASSIST IN PERFORMING MOLD REMEDIATION SERVICES UNLESS THE
15 INDIVIDUAL IS LICENSED BY THE COMMISSION.

16 (B) A LICENSED MOLD REMEDIATION TECHNICIAN OR LICENSED MOLD
17 REMEDIATION SUPERVISOR MAY NOT:

18 (1) PERFORM OR OFFER TO PERFORM ANY MOLD REMEDIATION
19 TO A STRUCTURE ON WHICH THE FIRM THAT EMPLOYS THE LICENSED
20 TECHNICIAN OR LICENSED SUPERVISOR HAS PROVIDED A MOLD ASSESSMENT
21 WITHIN THE LAST 12 MONTHS; OR

22 (2) PAY ANY COMPENSATION, INDUCEMENT, OR REWARD TO A
23 MOLD ASSESSOR OR A MOLD ASSESSOR'S FIRM IN ORDER TO GENERATE THE
24 REFERRAL OF ANY BUSINESS TO THE LICENSED TECHNICIAN, LICENSED
25 SUPERVISOR, OR FIRM THAT EMPLOYS THE LICENSED TECHNICIAN OR
26 LICENSED SUPERVISOR.

27 **8-716.**

28 UNLESS LICENSED TO PROVIDE MOLD REMEDIATION SERVICES UNDER
29 THIS SUBTITLE, A PERSON MAY NOT REPRESENT TO THE PUBLIC BY USE OF THE
30 TITLES "MOLD REMEDIATION LICENSE HOLDER", "REGISTERED MOLD
31 REMEDIATION CONTRACTOR", BY OTHER TITLE, OR BY DESCRIPTION OF
32 SERVICES, METHODS, OR PROCEDURES, OR OTHERWISE, THAT THE PERSON IS
33 LICENSED TO PERFORM OR TO ASSIST IN PERFORMING MOLD REMEDIATION
34 SERVICES.

1 **8-717.**

2 **THIS SUBTITLE MAY BE CITED AS THE “MARYLAND MOLD REMEDIATION**
3 **SERVICES ACT”.**

4 **8-718.**

5 **SUBJECT TO THE EVALUATION AND REESTABLISHMENT PROVISIONS OF**
6 **THE MARYLAND PROGRAM EVALUATION ACT, THIS SUBTITLE AND ALL**
7 **REGULATIONS ADOPTED UNDER THIS SUBTITLE SHALL TERMINATE AND BE OF**
8 **NO EFFECT AFTER JULY 1, 2013.**

9 **Article – State Government**

10 8-403.

11 (a) On or before December 15 of the 2nd year before the evaluation date of a
12 governmental activity or unit, the Legislative Policy Committee, based on a
13 preliminary evaluation, may waive as unnecessary the evaluation required under this
14 section.

15 (b) Except as otherwise provided in subsection (a) of this section, on or before
16 the evaluation date for the following governmental activities or units, an evaluation
17 shall be made of the following governmental activities or units and the statutes and
18 regulations that relate to the governmental activities or units:

19 **(39) MOLD REMEDIATION SERVICES, LICENSING AND REGULATION**
20 **OF (§ 8-701 OF THE BUSINESS REGULATION ARTICLE: JULY 1, 2012);**

21 SECTION 3. AND BE IT FURTHER ENACTED, That on or before January 1,
22 2010, a person performing mold remediation services shall be licensed by the
23 Maryland Home Improvement Commission, subject to the qualification and
24 application requirements of this Act.

25 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 October 1, 2008.