

Chapter 134

(House Bill 136)

AN ACT concerning

State Board of Plumbing – Sunset Extension and Program Evaluation

FOR the purpose of continuing the State Board of Plumbing in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the Board; requiring that an evaluation of the Board and the statutes and regulations that relate to the Board be performed on or before a certain date; requiring the Department of Labor, Licensing, and Regulation to submit a certain report on or before a certain date; and generally relating to the State Board of Plumbing.

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 12–702
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 8–403(a)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Government
Section 8–403(b)(51)
Annotated Code of Maryland
(2009 Replacement Volume)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Business Occupations and Professions

12–702.

Subject to the evaluation and reestablishment provisions of the Maryland Program Evaluation Act, this title and all regulations adopted under this title shall terminate and be of no effect after July 1, [2013] **2023**.

Article – State Government

8–403.

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

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

(51) Plumbing, State Board of (§ 12–201 of the Business Occupations and Professions Article: July 1, [2012] **2022**);

SECTION 2. AND BE IT FURTHER ENACTED, That, on or before October 1, 2011, the Department of Labor, Licensing, and Regulation shall submit a report to the Senate Education, Health, and Environmental Affairs Committee and the House Economic Matters Committee, in accordance with § 2–1246 of the State Government Article, on:

(1) the status of efforts to restructure the Division of Occupational and Professional Licensing to better serve the day–to–day operations of the State Board of Plumbing, particularly related to the Board’s complaint backlog and other responsibilities;

(2) the Board’s disposition of consumer complaints going back to at least fiscal year 2006, including the Board’s effectiveness in resolving complaints in a timely manner;

(3) the imposition of fines on licensees or individuals who engage in malpractice, in particular the frequency and average amount of such fines and whether or not industry regulation and consumer protection would benefit from increasing fine amounts;

(4) the size of the Board’s fiscal year 2010 surplus or funding gap following the restructuring of the Division of Occupational and Professional Licensing and any changes to the Board’s staffing or fees necessary to address the Board’s fiscal status; and

(5) whether the Board has been successful in filling the vacant consumer member seat.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2010.

Approved by the Governor, April 13, 2010.