

SB0198/460311/1

BY: Environment and Transportation Committee

AMENDMENTS TO SENATE BILL 198

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “prohibiting” in line 13 down through “manner;” in line 15; in line 15, after “Department” insert “of Agriculture”; in line 16, strike “study” and substitute “review certain laws and regulations”; in line 20, strike “certain civil penalties” and substitute “a certain civil penalty”; and in the same line, after “Act;” insert “exempting this Act from certain provisions of law;”.

On page 2, in line 2, after “(r)” insert “, 12-101, 12-102, and 12-103”; and after line 10, insert:

“BY repealing and reenacting, with amendments,

Article – Agriculture

Section 12-104

Annotated Code of Maryland

(2007 Replacement Volume and 2015 Supplement)”.

AMENDMENT NO. 2

On page 4, in line 26, strike “CLOTHIANDIN” and substitute “CLOTHIANIDIN”; and in line 29, strike “CONSISTENT WITH” and substitute “**PROTECTIVE OF POLLINATORS, TAKING INTO ACCOUNT**”.

AMENDMENT NO. 3

On page 5, in line 6, strike “\$50” and substitute “\$250”; and after line 6, insert:

“12-101.

(Over)

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Any person who violates any provision of this article is guilty of a misdemeanor. Unless another penalty specifically is provided elsewhere in this article, the person, upon conviction, is subject to a fine not exceeding \$500, or imprisonment not exceeding three months, or both, with costs imposed in the discretion of the court.

12-102.

Unless another penalty specifically is provided elsewhere in this article, any person found guilty of a second or subsequent violation of any provision of the same title, is subject to a fine not exceeding \$1,000, or imprisonment not exceeding one year, or both, with costs imposed in the discretion of the court. For the purposes of this section, a second or subsequent violation is one which has occurred within two years of any prior violation of this title and which arises out of a separate set of circumstances.

12-103.

In addition to any administrative penalty provided in this article, violation of any rule or regulation adopted by the Secretary pursuant to the provisions of this article is a misdemeanor and is punishable as provided in §§ 12-101 and 12-102 of this subtitle.

12-104.

This title does not apply to a violation of:

- (1) Title 1, Subtitle 3 of this article; AND**
- (2) TITLE 5, SUBTITLE 2A OF THIS ARTICLE.**