

Department of Legislative Services
Maryland General Assembly
2017 Session

FISCAL AND POLICY NOTE
Third Reader

Senate Bill 140

(Senator Waugh)

Education, Health, and Environmental Affairs

Economic Matters

St. Mary's County - Local Plumbing Code - Repeal

This bill repeals provisions authorizing the County Commissioners of St. Mary's County to adopt, amend, and repeal rules and regulations pertaining to a county plumbing code. It also repeals (1) a provision requiring State standards to be utilized as the minimums in administration of the plumbing code and (2) the requirement to appoint a plumbing board and budget funds for reasonable expenses incurred by board members.

Fiscal Summary

State Effect: None.

Local Effect: St. Mary's County finances are not materially affected. The State Plumbing Code continues to be enforced by the county's Department of Land Use and Growth.

Small Business Effect: None.

Analysis

Current Law: Generally, a county must enforce the State Plumbing Code or adopt and enforce a local plumbing code that meets or exceeds the minimum standards of the State Plumbing Code. The State Board of Plumbing must enforce the State Plumbing Code in a county unless the board determines that the county is adequately enforcing the State Plumbing Code or a local plumbing code that meets or exceeds the minimum standards of the State Plumbing Code. These provisions are unaffected by the bill and still apply in St. Mary's County.

Separately, the County Commissioners of St. Mary's County may adopt, amend, and repeal rules and regulations pertaining to a county plumbing code. State standards must be utilized as the minimums in administration of the plumbing code, and the county must appoint a plumbing board and budget funds for reasonable expenses incurred by board members.

Background: St. Mary's County advises that the provisions repealed by the bill have been preempted by the Business Occupations and Professions Article governing the licensing and regulation of plumbing by the State Board of Plumbing. The State board has been given the authority to adopt a State Plumbing Code and legal authority with respect to licensing and disciplinary matters.

Enforcement of the plumbing code in the county is done by the county's Department of Land Use and Growth, which does not change under the bill. The county advises that the county plumbing board may be reconstituted as an advisory board, but a decision has not been made at this time.

Additional Information

Prior Introductions: None.

Cross File: HB 207 (St. Mary's County Delegation) - Economic Matters.

Information Source(s): Department of Labor, Licensing, and Regulation; St. Mary's County; Department of Legislative Services

Fiscal Note History: First Reader - January 24, 2017
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