

BY: Economic and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL NO. 204
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “Commission;” insert “altering certain provisions of law relating to the imposition of criminal penalties under the Maryland Home Improvement Law;”; in line 7, after “date;” insert “requiring the Department of Labor, Licensing, and Regulation to report certain information to the Senate Economic and Environmental Affairs Committee and the House Economic Matters Committee on or before a certain date;”; and in line 11, after “Section” insert “8-601, 8-623, and”.

AMENDMENT NO. 2

On page 2, after line 1, insert:

“8-601.

(a) Except as otherwise provided in this title, a person may not act or offer to act as a contractor in the State unless the person has a contractor license.

(b) Except as otherwise provided in this title, a person may not act or offer to act as a subcontractor in the State unless the person has a contractor license or subcontractor license.

(c) Except as otherwise provided in this title, a person may not sell or offer to sell a home improvement in the State unless the person has a contractor license or salesperson license.

(d) A person who [knowingly and willfully] violates this section is guilty of a misdemeanor and, on conviction, is subject to a fine not exceeding \$5,000 or imprisonment not exceeding 2 years or both.

8-623.

(Over)

(a) This section only applies if there is no greater criminal penalty provided under this title or other applicable law.

(b) A person who [knowingly and willfully] violates this title is guilty of a misdemeanor and, on conviction, is subject to a fine not exceeding \$1,000 or imprisonment not exceeding 6 months or both.”.

AMENDMENT NO. 3

On page 2, after line 21, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the Department of Labor, Licensing, and Regulation shall report to the Senate Economic and Environmental Affairs Committee and the House Economic Matters Committee on or before December 1, 1996, in accordance with § 2-1312 of the State Government Article, with the following information for the time period that begins on January 1, 1996 and ends on November 15, 1996:

(1) The number of complaints received by the Home Improvement Commission and the status of each complaint;

(2) The number of complaints delegated to the Office of Administrative Hearings for a contested case hearing;

(3) The number of complaints for which criminal charges have been filed;

(4) The number of cases for which petitions for judicial review have been filed with the appropriate circuit court, the Maryland Court of Special Appeals, and the Maryland Court of Appeals; and

(5) The total amount of claims paid from the Home Improvement Guaranty Fund under Title 8, Subtitle 4 of the Business Regulation Article.”;

and in line 22, strike “2.” and substitute “3.”.