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**By: Delegate Busch**

Introduced and read first time: February 9, 1996

Assigned to: Economic Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Home Improvement Law - Criminal Penalties - Standards of Proof**

3 FOR the purpose of altering standards of proof for imposition of certain criminal  
4 penalties under the home improvement law.

5 BY repealing and reenacting, with amendments,  
6 Article - Business Regulation  
7 Section 8-601 and 8-623  
8 Annotated Code of Maryland  
9 (1992 Volume and 1995 Supplement)

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

12 **Article - Business Regulation**

13 8-601.

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

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

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

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

25 8-623.

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

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

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
5 October 1, 1996.