
By: Delegates Barve, Frank, and Krysiak

Introduced and read first time: February 12, 1997

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

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

3 FOR the purpose of altering the standards of proof and penalties for certain criminal
4 violations of the Maryland Home Improvement Law; and generally relating to home
5 improvements.

6 BY repealing and reenacting, with amendments,
7 Article - Business Regulation
8 Section 8-601 and 8-623
9 Annotated Code of Maryland
10 (1992 Volume and 1996 Supplement)

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

13 **Article - Business Regulation**

14 8-601.

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

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

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

23 (d) A person who [knowingly and willfully] violates this section is guilty of a
24 misdemeanor and, on FIRST conviction, is subject to a fine not exceeding [\$5,000] \$1,000
25 or imprisonment not exceeding [2 years] 30 DAYS or both AND, ON A SECOND OR
26 SUBSEQUENT CONVICTION, IS SUBJECT TO A FINE NOT EXCEEDING \$5,000 OR
27 IMPRISONMENT NOT EXCEEDING 2 YEARS OR BOTH.

2

1 8-623.

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

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

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 October 1, 1997.