

Department of Legislative Services
Maryland General Assembly

FISCAL NOTE

House Bill 644 (St. Mary's County Delegation)

Commerce and Government Matters

St. Mary's Metropolitan Commission - Public Sewer Use Regulations - Enforcement Remedies

This bill specifies administrative and judicial enforcement remedies that the St. Mary's County Metropolitan Commission may utilize for violations of rules or regulations concerning public sewer use. The bill also requires the commission to establish procedures for implementing the enforcement remedies. Under the bill, violations of public sewer use rules or regulations would result in a civil penalty of up to \$1,000 per violation per day and a criminal penalty of up to \$1,000 per violation or imprisonment for up to one year, or both. Current law provides that violations of rules or regulations concerning public sewer use are punishable by a fine of not more than \$100 per violation or 30 days in county jail, or both. The metropolitan commission may also impose a civil fine of up to \$100 per violation for violations of public sewer use.

The bill is effective June 1, 1998.

Fiscal Summary

State Effect: The criminal penalty provision of this bill is not expected to materially affect State operations or finances.

Local Effect: The bill codifies existing practice regarding administrative and judicial enforcement remedies. The monetary penalty provisions of the bill are not expected to significantly affect local finances or operations.

Small Business Effect: Minimal impact on small businesses.

Fiscal Analysis

Bill Summary: Under the bill, the St. Mary's County Metropolitan Commission is authorized to act administratively against those in violation of public sewer use regulations through : (1) notification of violations; (2) consent orders; (3) show cause hearings; (4) compliance orders; (5) cease and desist orders; (6) fines not to exceed \$1,000 per violation per day; and (7) emergency suspensions.

The commission is also authorized to seek judicial enforcement remedies through: (1) District Court petitions for injunctive relief; (2) requests for civil penalties of up to \$1,000 per violation per day; and (3) requests for criminal penalties of up to \$1,000 per violation or imprisonment for up to one year per violation, or both.

Information Source(s): St. Mary's County, Department of Legislative Services

Fiscal Note History: First Reader - February 24, 1998

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