

---

By: **Delegates Weir, Minnick, Wood, Schisler, Busch, and Guns**

Introduced and read first time: February 18, 1999

Assigned to: Rules and Executive Nominations

---

A BILL ENTITLED

1 AN ACT concerning

2 **Home Improvement Commission - Definition of "Home Improvement"**

3 FOR the purpose of altering the definition of "home improvement" to exclude  
4 construction of a bulkhead or similar structure on residential property; and  
5 generally relating to regulation of home improvements by the Home  
6 Improvement Commission.

7 BY repealing and reenacting, without amendments,  
8 Article - Business Regulation  
9 Section 8-101(a), (b), (c), and (d), 8-208(a), and 8-301(a)  
10 Annotated Code of Maryland  
11 (1998 Replacement Volume)

12 BY repealing and reenacting, with amendments,  
13 Article - Business Regulation  
14 Section 8-101(g)  
15 Annotated Code of Maryland  
16 (1998 Replacement Volume)

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

19 **Article - Business Regulation**

20 8-101.

21 (a) In this title the following words have the meanings indicated.

22 (b) "Commission" means the Maryland Home Improvement Commission.

23 (c) "Contractor" means a person, other than an employee of an owner, who  
24 performs or offers or agrees to perform a home improvement for an owner.

25 (d) "Contractor license" means a license issued by the Commission to act as a  
26 contractor.

1 (g) (1) "Home improvement" means:

2 (i) the addition to or alteration, conversion, improvement,  
3 modernization, remodeling, repair, or replacement of a building or part of a building  
4 that is used or designed to be used as a residence or a structure adjacent to that  
5 building; or

6 (ii) an improvement to land adjacent to the building.

7 (2) "Home improvement" includes:

8 (i) construction, improvement, or replacement, on land adjacent to  
9 the building, of a driveway, fall-out shelter, fence, garage, landscaping, porch, or  
10 swimming pool;

11 (ii) connection, installation, or replacement, in the building or  
12 structure, of a dishwasher, disposal, or refrigerator with an icemaker to existing  
13 exposed household plumbing lines;

14 (iii) installation, in the building or structure, of an awning, fire  
15 alarm, or storm window; and

16 (iv) work done on individual condominium units.

17 (3) "Home improvement" does not include:

18 (i) construction of a new home;

19 (ii) work done to comply with a guarantee of completion for a new  
20 building project;

21 (iii) connection, installation, or replacement of an appliance to  
22 existing exposed plumbing lines that requires alteration of the plumbing lines;

23 (iv) sale of materials, if the seller does not arrange to perform or  
24 does not perform directly or indirectly any work in connection with the installation or  
25 application of the materials;

26 (v) work done on apartment buildings that contain four or more  
27 single-family units; [or]

28 (vi) work done on the commonly owned areas of condominiums; OR

29 (VII) CONSTRUCTION OF A BULKHEAD OR OTHER SIMILAR  
30 STRUCTURE ON RESIDENTIAL PROPERTY.

31 8-208.

32 (a) The Commission shall administer and enforce this title.

1 8-301.

2 (a) Except as otherwise provided in this title, a person must have a contractor  
3 license whenever the person acts as a contractor in the State.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
5 October 1, 1999.