

---

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

Introduced and read first time: February 18, 1999

Assigned to: Rules and Executive Nominations

Re-referred to: Economic Matters, February 22, 1999

---

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 25, 1999

---

CHAPTER \_\_\_\_\_

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~~ a shore erosion control project ~~on~~  
5 for a residential property; and generally relating to regulation of home  
6 improvements by the Home Improvement Commission.

7 BY repealing and reenacting, without amendments,  
8 Article - Natural Resources  
9 Section 8-1001(g)  
10 Annotated Code of Maryland  
11 (1990 Replacement Volume and 1998 Supplement)

12 BY repealing and reenacting, without amendments,  
13 Article - Business Regulation  
14 Section 8-101(a), (b), (c), and (d), 8-208(a), and 8-301(a)  
15 Annotated Code of Maryland  
16 (1998 Replacement Volume)

17 BY repealing and reenacting, with amendments,  
18 Article - Business Regulation  
19 Section 8-101(g)  
20 Annotated Code of Maryland  
21 (1998 Replacement Volume)

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

3 **Article - Natural Resources**

4 8-1001.

5 (g) "Shore erosion control project" means a competently designed work project,  
6 which may include but is not limited to erection or placement of bulkheads, groins, or  
7 other erosion control devices, and measures required to stabilize waterside,  
8 shorelines, and banks, and to change drainage patterns, all in order to halt or retard  
9 erosion of shorelines and deposit of eroded sediments in the waters of the State.

10 **Article - Business Regulation**

11 8-101.

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

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

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

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

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

19 (i) the addition to or alteration, conversion, improvement,  
20 modernization, remodeling, repair, or replacement of a building or part of a building  
21 that is used or designed to be used as a residence or a structure adjacent to that  
22 building; or

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

24 (2) "Home improvement" includes:

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

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

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

33 (iv) work done on individual condominium units.

- 1 (3) "Home improvement" does not include:
- 2 (i) construction of a new home;
- 3 (ii) work done to comply with a guarantee of completion for a new  
4 building project;
- 5 (iii) connection, installation, or replacement of an appliance to  
6 existing exposed plumbing lines that requires alteration of the plumbing lines;
- 7 (iv) sale of materials, if the seller does not arrange to perform or  
8 does not perform directly or indirectly any work in connection with the installation or  
9 application of the materials;
- 10 (v) work done on apartment buildings that contain four or more  
11 single-family units; [or]
- 12 (vi) work done on the commonly owned areas of condominiums; OR
- 13 ~~(VII) CONSTRUCTION OF A BULKHEAD OR OTHER SIMILAR~~  
14 ~~STRUCTURE ON RESIDENTIAL PROPERTY.~~
- 15 (VII) A SHORE EROSION CONTROL PROJECT, AS DEFINED IN § 8-1001  
16 OF THE NATURAL RESOURCES ARTICLE, FOR A RESIDENTIAL PROPERTY.
- 17 8-208.
- 18 (a) The Commission shall administer and enforce this title.
- 19 8-301.
- 20 (a) Except as otherwise provided in this title, a person must have a contractor  
21 license whenever the person acts as a contractor in the State.
- 22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
23 October 1, 1999.