

BY: Conference Committee

AMENDMENTS TO SENATE BILL NO. 380

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, strike "for" and substitute "from".

On page 2, in line 21, after "laws" insert a semicolon.

AMENDMENT NO. 2

On page 3, in line 28, after "INSTALLER" insert "OR RETAILER".

On page 5, in line 22, strike "AND"; and in line 24, after "REGISTRANT" insert "; AND

(3) PARENTS, SPOUSES, AND CHILDREN WITH A COMBINED 10 PERCENT OWNERSHIP IN AN APPLICANT OR REGISTRANT OR A SUBSIDIARY OF AN APPLICANT OR REGISTRANT".

On page 8, in line 17, after "FEES" insert "THAT MAY NOT EXCEED \$600 OVER A 2-YEAR PERIOD,"; strike in their entirety lines 19 through 24, inclusive; and in line 25, strike "(3)" and substitute "(2)".

AMENDMENT NO. 3

On page 9, in line 7, before "EACH" insert "(A)"; strike beginning with the colon in line 8 down through "(1)" in line 9; in line 9, strike "; AND" and substitute a period; in line 10, strike "(2)" and substitute "(B)"; in line 15, strike "AND SUPPLIERS" and substitute ", SUPPLIERS, AND CONSUMERS"; and strike beginning with the second "OR" in line 16 down through "SUPPLIERS" in line 17 and substitute ", SUPPLIERS, AND CONSUMERS, FOR A PERIOD OF 4 YEARS FROM THE DATE OF THE APPROVAL OF REGISTRATION, AFTER WHICH THE LICENSING BOND SHALL EXPIRE AND SHALL NO LONGER BE REQUIRED TO BE MAINTAINED BY THE REGISTERED HOME BUILDER".

(Over)

On page 10, strike in their entirety lines 23 through 25, inclusive.

AMENDMENT NO. 4

On page 12, strike in their entirety lines 31 through 34, inclusive, and substitute:

“(9) ENGAGED IN A PATTERN OF POOR WORKMANSHIP AS EVIDENCED BY ONE OR MORE OF THE FOLLOWING:

(I) REPEATED UNRESOLVED BUILDING CODE VIOLATIONS;

(II) REPEATED UNSATISFIED ARBITRATION AWARDS AGAINST THE APPLICANT OR REGISTERED HOME BUILDER BASED ON INCOMPLETE OR SUBSTANDARD WORK THAT RESULTS IN THE CONSUMERS, IN WHOSE NAMES THE ARBITRATION AWARDS ARE ENTERED, FILING COMPLAINTS WITH THE DIVISION UNDER THIS SUBTITLE; OR

(III) AN UNSATISFIED FINAL JUDGMENT THAT RESULTS IN A CONSUMER, IN WHOSE NAME THE JUDGMENT IS ENTERED, FILING A COMPLAINT WITH THE DIVISION UNDER TITLE 13 OF THE COMMERCIAL LAW ARTICLE;”.

On page 13, after line 27, insert:

“(A) THE DIVISION SHALL ENCOURAGE THE OWNER OR BUYER TO PURSUE RESOLUTION OF THE DISPUTE PURSUANT TO THE EXISTING CONTRACT.”;

in line 28, before “THE” insert “(B)”; in line 28, strike “OWNER” and substitute “OWNER’S”; in the same line, after “SUBTITLE” insert “SHALL NOT SUPERSEDE ANY CONSUMER CONTRACTUAL OBLIGATIONS, AND”.

AMENDMENT NO. 5

On page 25, in line 33, strike “SUBSECTION (J)(2)” and substitute “PARAGRAPH (2)”; and in the same line, strike “SECTION” and substitute “SUBSECTION”.

On page 26, in line 29, strike “2002” and substitute “2003”; and in line 30, strike “IF” and substitute “IT”.

On page 26, strike in their entirety lines 18 through 23, inclusive; and in lines 24, 30, and 35, strike "4.", "5.", and "6.", respectively, and substitute "3.", "4.", and "5.", respectively.