

BY: Senator Bromwell

AMENDMENTS TO SENATE BILL NO. 194

(Bill as Printed for Third Reading)

AMENDMENT NO. 1

On page 1, in line 2, strike “- Prohibited”; in line 5, after “facility” insert “; making an exception under certain circumstances for a certain political subdivision or municipal corporation that on or before a certain date charged, assessed, or collected certain fees for reimbursement of expenses incurred for marking or re-marking an underground facility; and generally relating to marking fees”.

AMENDMENT NO. 2

On page 1, in line 15, after “(a)” insert “(1)”; in the same line, strike “A” and substitute “EXCEPT AS PROVIDED UNDER SUBSECTION (B) OF THIS SECTION, A”; in line 19, strike “(b)” and substitute “(2)”; and in the same line, strike “If” and substitute “EXCEPT AS PROVIDED UNDER SUBSECTION (B) OF THIS SECTION, IF”.

On page 2, after line 2, insert:

“(B) (1) THIS SUBSECTION APPLIES TO A POLITICAL SUBDIVISION OR MUNICIPAL CORPORATION THAT ON OR BEFORE JANUARY 1, 2002, CHARGED, ASSESSED, OR COLLECTED MARKING OR RE-MARKING FEES FOR REIMBURSEMENT OF EXPENSES THAT THE POLITICAL SUBDIVISION OR MUNICIPAL CORPORATION INCURRED TO COMPLY WITH THIS SUBTITLE.

(2) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, A POLITICAL SUBDIVISION OR MUNICIPAL CORPORATION MAY CHARGE, ASSESS, OR COLLECT FROM A PERSON FOR REIMBURSEMENT OF EXPENSES THAT THE POLITICAL SUBDIVISION OR MUNICIPAL CORPORATION INCURS TO COMPLY WITH THIS SUBTITLE:

(Over)

(I) A ONETIME INITIAL MARKING FEE NOT EXCEEDING \$17.50;

AND

(II) IF RE-MARKING IS REQUESTED, OR IS REQUIRED AFTER NOTIFICATION UNDER § 12-108(B) OF THIS SUBTITLE, A RE-MARKING FEE NOT EXCEEDING \$7.50.

(3) A POLITICAL SUBDIVISION OR MUNICIPAL CORPORATION MAY NOT CHARGE, ASSESS, OR COLLECT FROM A PERSON AN INITIAL OR RE-MARKING FEE UNDER THIS SUBSECTION IF THE POLITICAL SUBDIVISION OR MUNICIPAL CORPORATION DETERMINES THAT THE MARKING OR RE-MARKING IS RELATED TO A PROPOSED EXCAVATION OR DEMOLITION TO BE PERFORMED ON PRIVATE PROPERTY.”.