

SENATE BILL 95

Unofficial Copy  
M3  
SB 284/02 - SRU

2003 Regular Session  
3lr0084

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By: **Chairman, Judicial Proceedings Committee (By Request -  
Departmental - Environment)**

Introduced and read first time: January 22, 2003

Rules suspended

Assigned to: Judicial Proceedings

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A BILL ENTITLED

1 AN ACT concerning

2 **Asbestos - Criminal Penalties**

3 FOR the purpose of altering the conditions for the assessment of certain criminal  
4 penalties for certain asbestos violations; altering the criminal penalties for  
5 persons convicted of a first offense of certain asbestos violations; and generally  
6 relating to criminal penalties for asbestos violations.

7 BY repealing and reenacting, with amendments,  
8 Article - Environment  
9 Section 6-422  
10 Annotated Code of Maryland  
11 (1996 Replacement Volume and 2002 Supplement)

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

14 **Article - Environment**

15 6-422.

16 (a) (1) A person who willfully violates any provision of this subtitle or any  
17 rule or regulation adopted under this subtitle is liable for a civil penalty not exceeding  
18 \$5,000 to be collected in a civil action.

19 (2) Each day a violation continues is a separate violation under this  
20 subsection.

21 (3) If the Attorney General concurs, the Secretary may compromise and  
22 settle any claim for a civil penalty under this subtitle.

23 (b) A person [who previously has been assessed a civil penalty under this  
24 subtitle and] who willfully violates any provision of this subtitle or any rule or  
25 regulation adopted under this subtitle is guilty of a misdemeanor and, on conviction,  
26 is subject:

1                   (1)       For a first offense, to a fine not exceeding \$20,000 OR  
2 IMPRISONMENT NOT EXCEEDING 1 YEAR OR BOTH; or

3                   (2)       For a second or subsequent offense, to a fine not exceeding \$25,000,  
4 or imprisonment not exceeding 2 years or both.

5       SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
6 October 1, 2003.