

SENATE BILL 95

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SB 284/02 - SRU

2003 Regular Session
3r0084

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

Introduced and read first time: January 22, 2003
Rules suspended
Assigned to: Judicial Proceedings

Committee Report: Favorable
Senate action: Adopted
Read second time: February 11, 2003

CHAPTER _____

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.

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

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

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

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

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