

SENATE BILL 65

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2004 Regular Session
4r0178

By: **Chairman, Education, Health, and Environmental Affairs Committee**
(By Request - Departmental - Environment)

Introduced and read first time: January 15, 2004
Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable
Senate action: Adopted
Read second time: February 20, 2004

CHAPTER _____

1 AN ACT concerning

2 **Environment - Water Quality - Penalties**

3 FOR the purpose of altering certain criminal penalties for knowingly making certain
4 false statements or falsifying certain devices in violation of certain water quality
5 laws.

6 BY repealing and reenacting, with amendments,
7 Article - Environment
8 Section 9-343
9 Annotated Code of Maryland
10 (1996 Replacement Volume and 2003 Supplement)

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

13 **Article - Environment**

14 9-343.

15 (a) (1) A person who violates any provision of or fails to perform any duty
16 imposed by this subtitle, or who violates any provision of or fails to perform any duty
17 imposed by a rule, regulation, order, or permit adopted or issued under this subtitle,
18 is guilty of a misdemeanor and on conviction is subject to:

19 (i) For a first offense, a fine not exceeding \$25,000 or
20 imprisonment not exceeding 1 year or both; or

1 (ii) If the conviction is for a violation committed after a first
2 conviction of the person under this subsection, a fine not exceeding \$50,000 for each
3 day of violation or imprisonment not exceeding 2 years or both.

4 (2) In addition to any criminal penalties imposed on a person convicted
5 under this subsection, the person may be enjoined from continuing the violation.

6 (3) Each day on which a violation occurs is a separate violation under
7 this subsection.

8 (b) A person is guilty of a misdemeanor and on conviction is subject to a fine
9 not exceeding [~~\$10,000~~] \$50,000 or imprisonment not exceeding [~~6 months~~] 2 YEARS
10 or both if the person:

11 (1) Knowingly makes any false statement, representation, or
12 certification in any application, record, report, plan, or other document filed or
13 required to be maintained under this subtitle or any rule, regulation, order, or permit
14 adopted or issued under this subtitle; or

15 (2) Falsifies, tampers with, or knowingly renders inaccurate any
16 monitoring device or method required to be maintained under this subtitle or any
17 rule, regulation, order, or permit adopted or issued under this subtitle.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 October 1, 2004.