

Chapter 705

(Senate Bill 968)

AN ACT concerning

Business Regulation – Home Builder Registration – Fees

FOR the purpose of increasing certain fees for applicants for a home builder registration and a home builder sales representative registration; increasing the administrative fee for the Home Builder Guaranty Fund for certain home builders; increasing the fee for renewal of a certain registration or registration certificate; adding a renewal of registration fee based on a certain number of certain building permits issued to a certain registrant; and generally relating to fees for home builder registration.

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 4.5–304, 4.5–304.1, and 4.5–305
Annotated Code of Maryland
(2015 Replacement Volume and 2015 Supplement)

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

Article – Business Regulation

4.5–304.

(a) The Unit shall register and issue a home builder registration number to an applicant for a home builder registration that:

(1) meets the requirements of this title; and

(2) pays to the Division an initial nonrefundable 2–year registration fee of ~~[\$600]~~ **\$800**.

(b) A home builder registration issued under this title may not be transferred, assigned, or pledged.

(c) A valid home builder registration authorizes the registrant to act as a home builder in the State.

(d) (1) A home builder that holds a license or registration in Montgomery County may act as a home builder in that county only, unless the home builder is also registered under this title.

(2) A home builder that holds a license or registration in Montgomery County and is not registered under this title is subject to Subtitle 7 of this title.

(3) (i) In addition to the county license or registration fee, a home builder that is required to hold a license or registration only in Montgomery County shall pay to the county a Guaranty Fund administrative fee of ~~[\$150]~~ **\$250**.

(ii) The county shall remit the Guaranty Fund administrative fee to the Unit to be deposited in the Registration Fund.

4.5–304.1.

(a) The Unit shall register and issue a registration certificate to an applicant for a home builder sales representative registration certificate that:

(1) meets the requirements of this title; and

(2) pays to the Division an initial nonrefundable 2–year registration fee of ~~[\$200]~~ **\$300**.

(b) A Unit shall include on each registration certificate that the Unit issues:

(1) that this is a registration certificate for a registered sales representative;

(2) the full name of the certificate holder;

(3) the certificate holder’s employer’s registration number or the name of the licensed or registered Montgomery County home builder; and

(4) the certificate holder’s registration number.

(c) A registration certificate issued under this title may not be transferred, assigned, or pledged.

(d) A valid registration certificate authorizes the certificate holder to act as a home builder sales representative in the State.

(e) The Unit may issue a registration certificate to replace a lost, destroyed, or mutilated registration certificate if the certificate holder pays the registration certificate replacement fee set by the Unit.

4.5–305.

(a) (1) Unless renewed under this section, a registration or registration certificate expires on the second anniversary of its effective date.

(2) A registrant or registered sales representative that meets the requirements of subsection (c) of this section may obtain a renewal of a registration or registration certificate before the registration or registration certificate expires for an additional 2-year term.

(3) Once expired, a registration or a registration certificate may not be renewed.

(b) At least 60 days before a registration or registration certificate expires, the Unit shall mail the registrant or registered sales representative, at the last known address of the registrant or registered sales representative:

(1) a renewal application form; and

(2) a notice that states:

(i) the date on which the current registration or registration certificate expires; and

(ii) the date by which the Unit must receive the renewal application for a renewal to be issued and mailed before the registration or registration certificate expires.

(c) The Unit shall renew the registration or registration certificate of each registrant or registered sales representative that:

(1) submits to the Unit a renewal application on the form provided by the Unit;

(2) would qualify for an initial registration or initial registration certificate;

(3) (i) for renewal of a registration, pays to the Division a nonrefundable renewal fee based on the number of building permits for the construction of new homes issued to the registrant in the preceding calendar year as follows:

[and] 1. 10 or fewer new homes..... [~~\$300~~] **\$400;**

2. 11 [or more] ~~TO 24~~ 74 new homes..... [~~\$600~~] **\$800; [or] AND**

3. ~~25~~ 75 OR MORE NEW HOMES**\$1,200;**
OR

(ii) for renewal of a registration certificate, pays to the Division a nonrefundable renewal fee of ~~[\$200]~~ **\$300**; and

(4) is otherwise entitled to be registered.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2016.

Enacted under Article II, § 17(c) of the Maryland Constitution, May 28, 2016.