

HB0211/813323/1

BY: Senator Hough

AMENDMENTS TO HOUSE BILL 211, AS AMENDED
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1 of the Education, Health, and Environmental Affairs Committee Amendments (HB0211/104534/1), in line 7 of Amendment No. 1, after “assessment;” insert “establishing a certain civil penalty for a violation of this Act; exempting this Act from certain provisions of law;”; and in line 8, strike “5-2A-04” and substitute “5-2A-05”.

On page 1 of the bill, in line 18, after “(r)” insert “, 12-101, 12-102, and 12-103”.

On page 2 of the bill, after line 6, insert:

“BY repealing and reenacting, with amendments,
Article – Agriculture
Section 12-104
Annotated Code of Maryland
(2007 Replacement Volume and 2015 Supplement)”.

AMENDMENT NO. 2

On page 2 of the Education, Health, and Environmental Affairs Committee Amendments, in line 7 of Amendment No. 2, after “ASSEMBLY.” insert:

“5-2A-05.

A PERSON WHO VIOLATES THIS SUBTITLE IS SUBJECT TO A CIVIL PENALTY OF \$250.

12-101.

(Over)

Any person who violates any provision of this article is guilty of a misdemeanor. Unless another penalty specifically is provided elsewhere in this article, the person, upon conviction, is subject to a fine not exceeding \$500, or imprisonment not exceeding three months, or both, with costs imposed in the discretion of the court.

12-102.

Unless another penalty specifically is provided elsewhere in this article, any person found guilty of a second or subsequent violation of any provision of the same title, is subject to a fine not exceeding \$1,000, or imprisonment not exceeding one year, or both, with costs imposed in the discretion of the court. For the purposes of this section, a second or subsequent violation is one which has occurred within two years of any prior violation of this title and which arises out of a separate set of circumstances.

12-103.

In addition to any administrative penalty provided in this article, violation of any rule or regulation adopted by the Secretary pursuant to the provisions of this article is a misdemeanor and is punishable as provided in §§ 12-101 and 12-102 of this subtitle.

12-104.

This title does not apply to a violation of:

- (1) Title 1, Subtitle 3 of this article; AND**
- (2) TITLE 5, SUBTITLE 2A OF THIS ARTICLE.”**