

Chapter 349

(House Bill 600)

AN ACT concerning

St. Mary's County – Metropolitan Commission

FOR the purpose of increasing the amount of a certain required bond that the Treasurer and any Deputy Treasurer gives to the State of Maryland, the St. Mary's County Metropolitan Commission, and the Commissioners of St. Mary's County; authorizing, instead of requiring, the Metropolitan Commission to conduct certain studies, plans, and estimates and altering the scope of those studies, plans, and estimates; altering certain civil and criminal penalties for certain violations; and generally relating to the St. Mary's County Metropolitan Commission.

BY repealing and reenacting, with amendments,
The Public Local Laws of St. Mary's County
Section 113–2E.(2), 113–5A.(1), and 113–21A. and B.
Article 19 – Public Local Laws of Maryland
(2007 Edition and April 2025 Supplement, as amended)

BY repealing and reenacting, without amendments,
The Public Local Laws of St. Mary's County
Section 113–21C.(1)
Article 19 – Public Local Laws of Maryland
(2007 Edition and April 2025 Supplement, as amended)
(As enacted by Chapter 599 of the Acts of the General Assembly of 2025)

BY repealing and reenacting, with amendments,
The Public Local Laws of St. Mary's County
Section 113–21C.(2)
Article 19 – Public Local Laws of Maryland
(2007 Edition and April 2025 Supplement, as amended)
(As enacted by Chapter 599 of the Acts of the General Assembly of 2025)

BY repealing and reenacting, without amendments,
The Public Local Laws of St. Mary's County
Section 113–21C.(3)
Article 19 – Public Local Laws of Maryland
(2007 Edition and April 2025 Supplement, as amended)

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

Article 19 – St. Mary's County

113-2.

E. (2) All moneys deposited shall be protected by a depository bond or by other securities approved by the Metropolitan Commission. The Treasurer and any Deputy Treasurer appointed by the Metropolitan Commission shall give bond to the State of Maryland, the Metropolitan Commission, and the Commissioners of St. Mary's County to the amount of [twenty-five] **TWO HUNDRED AND FIFTY** thousand dollars [(\$25,000)] **(\$250,000)** or a greater amount that the Commissioners of St. Mary's County prescribe, with a good and sufficient surety, to be approved by the Commissioners of St. Mary's County. The bond shall provide, in a form approved by the Maryland Insurance Administration and the County Attorney, that if the individual giving the bond shall well and faithfully execute that individual's office and account to the Metropolitan Commission for all moneys received on behalf of the Metropolitan Commission without fraud or delay, the required bond obligation shall be null and void, but shall otherwise remain in full force and effect. The bond, when approved, shall be recorded in the Office of the Clerk of the Circuit Court for St. Mary's County.

113-5.

A. (1) The Metropolitan Commission [shall] **MAY** cause studies, plans and estimates to be made for new facilities in those portions of St. Mary's County **DESIGNATED AS NOT PLANNED FOR SERVICE BY THE ST. MARY'S COUNTY COMPREHENSIVE WATER AND SEWERAGE PLAN**, in which the Metropolitan Commission determines that the facilities are necessary and [may divide each sanitary district into water and sewerage districts in such a way as shall], in its judgment, best serve the needs of the various communities and shall promote convenience and economy of installation and operation.

113-21.

A. **CRIMINAL PENALTIES.**

(1) [Unless otherwise provided, any act or omission designated as a] **A PERSON WHO VIOLATES ANY OF THE PROVISIONS LISTED IN PARAGRAPH (2) OF THIS SUBSECTION IS GUILTY OF A** misdemeanor [in the chapter is punishable by] **AND, ON CONVICTION, IS SUBJECT TO** a fine of not more than one [hundred] **THOUSAND** dollars [(\$100.00) or confinement] **(\$1,000.00) OR IMPRISONMENT** for not more than thirty (30) days [in the county jail,] or both.

(2) **A PERSON IS SUBJECT TO THE PENALTIES PROVIDED IN PARAGRAPH (1) OF THIS SUBSECTION IF THE PERSON VIOLATES:**

(A) **SECTION 113-7 OF THIS CHAPTER (LEVY OF TAXES);**

(B) **SECTION 113-11 OF THIS CHAPTER (PERMITS AND**

REGULATIONS OF USE);

(C) SECTION 113-17 OF THIS CHAPTER (PRIVATELY CONSTRUCTED SYSTEMS);

(D) SECTION 113-19 OF THIS CHAPTER (ENTRY INTO BUILDINGS); OR

(E) SECTION 113-20 OF THIS CHAPTER (OBSTRUCTIONS).

(3) Where [this] **THE** act or omission is of a continuing nature and persists in violation of the provisions of this chapter or of any rule or regulation promulgated under this chapter, a conviction for one (1) offense is not a bar to a conviction for a continuation of the offense subsequent to the first or any succeeding conviction.

B. (1) The Metropolitan Commission may designate any violation of this chapter as a civil infraction, which shall be enforced as provided in this subsection.

(2) A Metropolitan Commission employee with the duty of enforcing this chapter may deliver a citation to a person believed to be committing a violation. A copy of the citation shall be retained by the Metropolitan Commission employee and shall bear a certification attesting to the truth of the matters set forth. The citation shall contain:

- (A) The name and address of the person charged;
 - (B) The nature of the violation;
 - (C) The place and time of the violation;
 - (D) The amount of the fine assessed;
 - (E) The manner, location, and time in which the fine may be paid;
- and
- (F) The person's right to elect to stand trial for the violation.

(3) **(A)** Except as provided in paragraph (4) of this subsection, [a preset fine, not to exceed one hundred dollars (\$100.00), may be imposed for each violation] **ON DELIVERY OF A CITATION, THE METROPOLITAN COMMISSION MAY IMPOSE A FINE OF:**

(I) FOR A FIRST VIOLATION, TWO HUNDRED AND FIFTY DOLLARS (\$250.00);

(II) FOR A SECOND VIOLATION, FIVE HUNDRED DOLLARS

(\$500.00);

(III) FOR A THIRD VIOLATION, SEVEN HUNDRED AND FIFTY DOLLARS (\$750.00); AND

(IV) FOR A FOURTH OR SUBSEQUENT VIOLATION, ONE THOUSAND DOLLARS (\$1,000.00).

(B) EACH DAY THAT A VIOLATION CONTINUES IS A SEPARATE CIVIL INFRACTION SUBJECT TO AN ADDITIONAL CITATION AND A FINE IN THE AMOUNT OF TWO HUNDRED AND FIFTY DOLLARS (\$250.00).

(C) The Metropolitan Commission may establish a schedule of fines for each violation and may adopt procedures for collection of these fines.

(4) (A) A person may not remove water from a public system under the jurisdiction of the Metropolitan Commission without the prior authorization of the Metropolitan Commission.

(B) The Metropolitan Commission may impose a fine [not exceeding]:

(I) FOR A FIRST VIOLATION, NOT MORE THAN one thousand dollars (\$1,000.00) [for each violation of this paragraph]; AND

(II) FOR A SECOND OR SUBSEQUENT VIOLATION, NOT MORE THAN TWO THOUSAND DOLLARS (\$2,000.00).

(C) The Metropolitan Commission may establish a schedule of fines for each violation of this paragraph based on the amount of water removed and the number of prior violations by a person.

(5) A person who receives a citation may elect to stand trial for the offense by filing with the Metropolitan Commission a notice of intention to stand trial. The notice shall be given at least five (5) days before the date of payment as set forth in the citation. On receipt of the notice of intention to stand trial, the Metropolitan Commission shall forward to the district court having venue a copy of the citation and the notice of intention to stand trial. On receipt of the citation, the district court shall schedule the case for trial and notify the defendant of the trial date. All fines, penalties, or forfeitures collected by the district court for violation shall be remitted to the Metropolitan Commission.

C. (1) The Metropolitan Commission may utilize administrative enforcement remedies or seek judicial enforcement remedies for a violation of any rules and regulations the Metropolitan Commission may adopt under this chapter concerning public water and

sewer use, including lines, and mains, all appurtenances, connections, and discharges into the public sewer systems. The Metropolitan Commission shall establish procedures for implementing the enforcement remedies authorized under this subsection.

(2) The Metropolitan Commission may utilize administrative enforcement remedies that may include:

(A) A notification of a violation;

(B) A consent order;

(C) A show cause hearing;

(D) A compliance order;

(E) A cease and desist order;

(F) An administrative fine not to exceed one thousand dollars (\$1,000.00) per violation, per day;

(G) An assessment for the reimbursement of actual costs incurred by the Metropolitan Commission, including, but not limited to, time and materials; [or] AND

(H) An emergency suspension.

(3) The Metropolitan Commission may seek the following judicial enforcement remedies:

(A) Petitioning the District Court of St. Mary's County for injunctive relief;

(B) For a conviction of a violation, requesting civil penalties up to one thousand dollars (\$1,000.00) per violation, per day; or

(C) For a conviction of a violation, requesting criminal penalties of not more than one thousand dollars (\$1,000.00) per violation, or imprisonment for not more than one (1) year per violation, or both.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2026.

Approved by the Governor, April 28, 2026.