

HB0250/773227/1

BY: Delegate M. Morgan

AMENDMENTS TO HOUSE BILL 250, AS AMENDED

AMENDMENT NO. 1

On page 1 of the Environment and Transportation Committee Amendments (HB0250/933520/1), in line 6 of Amendment No. 1 after “penalties” insert “; prohibiting the Department from imposing certain civil or administrative penalties after a certain number of years after the date of the violation”.

AMENDMENT NO. 2

On page 1 of the Environment and Transportation Committee Amendments, in line 6 of Amendment No. 2, after “**(D)**” insert “**(1)**”; in line 7, after “**SECTION**” insert “**AND SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION**”; and in line 9, strike “**(1)**” and substitute “**(I)**”.

On page 2 of the Environment and Transportation Committee Amendments, in lines 1 and 3 of Amendment No. 2, strike “**(2)**” and “**(3)**”, respectively, and substitute “**(II)**” and “**(III)**”, respectively; and in line 5, after “**FUND**” insert “.

(2) (I) THE DEPARTMENT MAY NOT TAKE ANY CIVIL OR ADMINISTRATIVE ACTION TO RECOVER A PENALTY UNDER SUBSECTION (A) OR (C) OF THIS SECTION MORE THAN 3 YEARS AFTER THE DATE ON WHICH THE VIOLATION OCCURRED.

(II) THE 3-YEAR PERIOD UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH BEGINS:

1. IF THE VIOLATION IS CONTINUING IN NATURE, ON THE DATE THAT THE VIOLATION ENDS; AND

2. IF THE VIOLATION IS FRAUDULENTLY CONCEALED, THE DATE ON WHICH THE VIOLATION WAS DISCOVERED OR REASONABLY SHOULD HAVE BEEN DISCOVERED”.