

(II) THE OWNER OF A RENTAL DWELLING UNIT BUILT AFTER 1949 THAT IS NOT AN AFFECTED PROPERTY MAY NOT BE REQUIRED TO PAY THE FEE PROVIDED UNDER THIS PARAGRAPH IF THE OWNER CERTIFIES TO THE DEPARTMENT THAT THE RENTAL DWELLING UNIT IS LEAD FREE PURSUANT TO § 6-804 OF THIS SUBTITLE.

(III) AN OWNER OF A RENTAL DWELLING UNIT WHO SUBMITS A REPORT TO THE DEPARTMENT THAT THE RENTAL DWELLING UNIT IS LEAD FREE PURSUANT TO § 6-804 OF THIS SUBTITLE SHALL INCLUDE A \$5 PROCESSING FEE WITH THE REPORT.

(B) THE FEES IMPOSED UNDER THIS SECTION DO NOT APPLY TO ANY RENTAL DWELLING UNIT:

(1) BUILT AFTER 1978; OR

(2) OWNED AND OPERATED BY A UNIT OF FEDERAL, STATE, OR LOCAL GOVERNMENT, OR ANY PUBLIC, QUASI-PUBLIC, OR MUNICIPAL CORPORATION.

(C) THE FEE IMPOSED UNDER THIS SECTION SHALL BE PAID ON OR BEFORE DECEMBER 31, 1994, OR THE DATE OF REGISTRATION OF THE AFFECTED PROPERTY UNDER PART III OF THIS SUBTITLE, WHICHEVER IS EARLIER, AND ON OR BEFORE DECEMBER 31 OF EACH YEAR THEREAFTER.

(D) AN OWNER WHO FAILS TO PAY THE FEE IMPOSED UNDER THIS SECTION IS LIABLE FOR A CIVIL PENALTY OF UP TO TRIPLE THE AMOUNT OF EACH REGISTRATION FEE UNPAID THAT, TOGETHER WITH ALL COSTS OF COLLECTION, INCLUDING REASONABLE ATTORNEY'S FEES, SHALL BE COLLECTED IN A CIVIL ACTION IN ANY COURT OF COMPETENT JURISDICTION.

6-844.

(A) THERE IS A LEAD POISONING PREVENTION FUND IN THE DEPARTMENT.

(B) THE FUND CONSISTS OF:

(1) ALL FEES COLLECTED AND PENALTIES IMPOSED UNDER THIS SUBTITLE; AND

(2) MONEYS RECEIVED BY GRANT, DONATION, APPROPRIATION, OR FROM ANY OTHER SOURCE.

(C) THE DEPARTMENT SHALL USE THE FUND TO COVER THE COSTS OF FULFILLING THE DUTIES AND RESPONSIBILITIES OF THE DEPARTMENT AND THE COMMISSION UNDER THIS SUBTITLE, AND FOR PROGRAM DEVELOPMENT OF THESE ACTIVITIES.

(D) (1) THE FUND IS A CONTINUING, NONLAPSING SPECIAL FUND, AND IS NOT SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(2) THE STATE TREASURER SHALL HOLD AND THE STATE COMPTROLLER SHALL ACCOUNT FOR THE FUND.