

or damage instead of or in addition to any other penalties for violation of the Pesticide Applicator's Law.

BY repealing and reenacting, with amendments,

Article - Agriculture
Section 5-211
Annotated Code of Maryland
(1974 Volume and 1975 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section 5-211 of Article - Agriculture, of the Annotated Code of Maryland (1974 Volume and 1975 Supplement) be and it is hereby repealed and reenacted, with amendments, to read as follows:

Article - Agriculture

5-211.

(A) Notwithstanding any other provision of this article, any person who violates any provision of this subtitle is guilty of a misdemeanor and, upon conviction, is subject to a fine not exceeding \$1,000, or imprisonment not exceeding 60 days, or both, with costs imposed in the discretion of the court.

(B) INSTEAD OF OR IN ADDITION TO ANY OTHER PENALTY PROVIDED FOR IN THIS SECTION, THE COURT ~~[[MAY]]~~ ~~[[SHALL]]~~ MAY AWARD ~~[[RESTITUTION]]~~ INDEMNIFICATION TO ANY PERSON WHO HAS CONTRACTED WITH THE DEFENDANT AND WHO HAS SUFFERED FINANCIAL INJURY OR DAMAGES AS A RESULT OF THE VIOLATION OF ANY PROVISION OF THIS SUBTITLE.

(C) THE AMOUNT OF ANY INDEMNIFICATION AWARDED UNDER SECTION 5-211(B) OF THIS SUBTITLE SHALL BE LIMITED TO THE ACTUAL AMOUNT PAID FOR THE SERVICES BY THE INJURED PARTY.

(D) NOTHING IN SECTION 5-211(B) OF THIS SUBTITLE SHALL ABROGATE THE RIGHT OF ANY PERSON TO BRING AN ACTION FOR CIVIL DAMAGES FOR VIOLATIONS OF THIS SUBTITLE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1976.

Approved May 25, 1976.