

Annotated Code of Maryland
(1971 Replacement Volume and 1976 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section 266EE-6 of Article 41 - Governor-Executive and Administrative Departments, of the Annotated Code of Maryland (1971 Replacement Volume and 1976 Supplement) be and it is hereby repealed and reenacted, with amendments, to read as follows:

Article 41 - Governor-Executive and
Administrative Departments

266EE-6.

(A) The Secretary shall enforce the provisions of this subheading and the rules and regulations [pursuant hereto] ADOPTED UNDER IT. THE SECRETARY, ON INFORMATION, MAY REFER AN APPARENT VIOLATION TO THE APPROPRIATE STATE'S ATTORNEY.

(B) Any person who violates any provisions of the subheading or any rule or regulation [pursuant hereto] ADOPTED UNDER IT is guilty of a misdemeanor, and upon conviction for each offense [he] shall be fined not more than [one thousand dollars] \$1,000. [The Secretary, upon information, may refer any apparent violation to the appropriate State's attorney.] HOWEVER, THIS SUBSECTION DOES NOT APPLY TO A VIOLATION OF 42 U.S.C., §5409.

(C) ANY PERSON WHO WITHIN THIS STATE VIOLATES ANY PROVISION OF 42 U.S.C., § 5409 OR OF ANY REGULATION OR ORDER ISSUED UNDER IT IS LIABLE TO THIS STATE FOR A CIVIL PENALTY, RECOVERABLE IN CIVIL ACTION AND NOT EXCEEDING \$1,000 FOR EACH OFFENSE. EACH VIOLATION OF A PROVISION OF 42 U.S.C., §5409 OR OF ANY REGULATION OR ORDER ISSUED UNDER IT CONSTITUTES A SEPARATE VIOLATION WITH RESPECT TO EACH MOBILE HOME OR WITH RESPECT TO EACH FAILURE OR REFUSAL TO ALLOW OR PERFORM AN ACT REQUIRED BY THE SECTION, REGULATION, OR ORDER. HOWEVER, A CIVIL PENALTY MAY NOT EXCEED \$1,000,000 FOR ANY RELATED SERIES OF VIOLATIONS OCCURRING WITHIN ONE YEAR AFTER THE DATE OF THE FIRST VIOLATION.

(D) ANY INDIVIDUAL OR A DIRECTOR, OFFICER, OR AGENT OF A CORPORATION WHO WITHIN THIS STATE KNOWINGLY AND WILLFULLY VIOLATES 42 U.S.C., § 5409 IN A MANNER THAT THREATENS THE HEALTH OR SAFETY OF ANY PURCHASER IS SUBJECT TO A FINE NOT EXCEEDING \$1,000 OR IMPRISONMENT NOT EXCEEDING ONE YEAR OR BOTH.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1977.

Approved May 17, 1977.