

businesses in civil and administrative cases brought by certain State agencies.

BY adding to

~~Article---Courts-and-Judicial-Proceedings
Section--11-108
Annotated-Code-of-Maryland
{1980-Replacement-Volume-and-1982-Supplement}~~

Article 41 - Governor - Executive and Administrative
Departments
Section 255A
Annotated Code of Maryland
(1982 Replacement Volume)

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

~~Article---Courts-and-Judicial-Proceedings~~

~~11-108-~~

Article 41 - Governor - Executive and Administrative
Departments

255A.

(A) (1) IN THIS SECTION, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

(2) "SMALL BUSINESS" MEANS AN INDEPENDENTLY OWNED AND OPERATED BUSINESS WITH LESS THAN ~~100-EMPLOYEES~~, 50 EMPLOYEES ON THE DATE THAT A COMPLAINT IS ISSUED BY THE AGENCY. THE EMPLOYEES OF ANY CORPORATION THAT OWNS 50 PERCENT OR MORE OF THE STOCK OF THE BUSINESS AGAINST WHICH THE COMPLAINT IS ISSUED SHALL BE COUNTED FOR THE PURPOSE OF DETERMINING THE NUMBER OF EMPLOYEES OF THE BUSINESS.

(3) "REASONABLE LITIGATION EXPENSES" MEANS THOSE EXPENSES NOT IN EXCESS OF \$10,000 THAT THE AGENCY OR COURT FINDS WERE REASONABLY INCURRED IN OPPOSING THE AGENCY ACTION, INCLUDING COURT COSTS, EXPENSES INCURRED IN ADMINISTRATIVE PROCEEDINGS, ATTORNEY'S FEES, WITNESS FEES OF ALL NECESSARY WITNESSES, AND OTHER EXPENSES REASONABLY INCURRED.

(4) "AGENCY" DOES NOT INCLUDE AN AGENCY CREATED BY GENERAL LAW, WHICH OPERATES LESS THAN STATEWIDE IN 2-OR-MORE POLITICAL-SUBDIVISIONS.

(B) IN-ANY-CIVIL-ACTION-BROUGHT-IN-A-COURT-OF-THIS-STATE-BY A-SMALL-BUSINESS-AGAINST-A-STATE--AGENCY--AS--A--RESULT--OF--SOME PREVIOUS--REGULATORY--OR-ADMINISTRATIVE-ACTION-TAKEN-BY-THE-STATE AGENCY-AGAINST-THAT-SMALL-BUSINESS,--THE-COURT-MAY-AWARD-THE-SMALL