

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

**Article - Environment**

1-302.

(A) ~~A PERSON WHO KNOWINGLY FALSIFIES OR, ALTERS, OR CAUSES ANOTHER TO FALSIFY OR ALTER ANY PERMIT, LICENSE, OR CERTIFICATE ISSUED OR REQUIRED PURSUANT TO THIS ARTICLE TO DEMONSTRATE COMPLIANCE WITH ANY ENVIRONMENTAL REGULATION, PERMIT CONDITION, OR OTHER REGULATORY REQUIREMENT UNDER THIS ARTICLE IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO:~~

~~(1) FOR A FIRST OFFENSE, A FINE NOT EXCEEDING \$25,000 OR IMPRISONMENT NOT EXCEEDING 1 YEAR OR BOTH, OR~~

~~(2) IF THE CONVICTION IS FOR A VIOLATION COMMITTED SUBSEQUENT TO A CONVICTION OF THE PERSON UNDER ANY SECTION OF THIS ARTICLE, A FINE NOT EXCEEDING \$50,000 FOR EACH VIOLATION OR IMPRISONMENT NOT EXCEEDING 2 YEARS OR BOTH.~~

(B) ~~A PERSON WHO KNOWINGLY POSSESSES OR, DISPLAYS, OR SUBMITS TO THE DEPARTMENT OR ANY OTHER PERSON ANY FALSIFIED OR ALTERED PERMIT, LICENSE, OR CERTIFICATE ISSUED OR REQUIRED PURSUANT TO THIS ARTICLE TO DEMONSTRATE COMPLIANCE WITH ANY ENVIRONMENTAL REGULATION, PERMIT CONDITION, OR OTHER REGULATORY REQUIREMENT UNDER THIS ARTICLE IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO:~~

~~(1) FOR A FIRST OFFENSE, A FINE NOT EXCEEDING \$10,000 OR IMPRISONMENT NOT EXCEEDING 6 MONTHS OR BOTH, OR~~

~~(2) IF THE CONVICTION IS FOR A VIOLATION COMMITTED SUBSEQUENT TO A CONVICTION OF THE PERSON UNDER ANY SECTION OF THIS ARTICLE, A FINE NOT EXCEEDING \$50,000 FOR EACH VIOLATION OR IMPRISONMENT NOT EXCEEDING 2 YEARS OR BOTH.~~

(C) ANY FINE IMPOSED IN ACCORDANCE WITH THIS SECTION SHALL BE ORDERED PAID INTO ANY APPLICABLE SPECIAL FUND AUTHORIZED TO RECEIVE FINES FOR VIOLATIONS OF ANY SECTION OF THIS ARTICLE THAT REQUIRES OR AUTHORIZES THE DOCUMENT THAT IS THE SUBJECT OF THIS VIOLATION.

(D) (1) THE ATTORNEY GENERAL SHALL TAKE CHARGE OF, INVESTIGATE, PROSECUTE, AND DEFEND ON BEHALF OF THE STATE EVERY CASE ARISING UNDER THE PROVISIONS OF THIS SECTION, INCLUDING THE RECOVERY OF ANY FINES.

(2) THE PROVISIONS OF THIS SECTION MAY NOT LIMIT OR AFFECT THE POWER OR AUTHORITY OF THE STATE'S ATTORNEY FOR EACH COUNTY AND THE CITY OF BALTIMORE UNDER ARTICLE 10, § 34 OF THE CODE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2006.