

SECTION ~~2~~ 4. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2005.

Approved May 10, 2005.

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**CHAPTER 385**  
**(House Bill 576)**

AN ACT concerning

**Department of Agriculture – Water Pollution Control – Cost Sharing**

FOR the purpose of repealing the requirement that a certain person pay the full amount of State cost sharing funds paid for certain practices; authorizing the Department of Agriculture to determine the amount that a certain person shall pay for failing to establish or maintain a certain practice; making a stylistic change; and generally relating to cost sharing under the Department's voluntary cost sharing program for water pollution control.

BY repealing and reenacting, with amendments,

Article – Agriculture

Section 8-705(a)

Annotated Code of Maryland

(1999 Replacement Volume and 2004 Supplement)

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

**Article – Agriculture**

8-705.

(a) Failure by a person to establish, install, construct, or maintain a best management practice in accordance with the agreement required to be executed with the Department [of Agriculture] under § 8-704 of this subtitle shall render the person liable for [the full] AN amount, TO BE DETERMINED BY THE DEPARTMENT, of State cost sharing funds paid for practices that are not implemented or maintained. However, a person may not be found liable for inadequate maintenance or destruction of a best management practice if it were caused by an act of nature that could not reasonably be anticipated by the person.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2005.

Approved May 10, 2005.

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