

CHAPTER 45

(House Bill 202)

AN ACT concerning

Environmental Health - Administrative Civil Penalties -
Hearings

FOR the purpose of requiring the Department of Health and Mental Hygiene to provide an opportunity for a hearing rather than requiring a hearing, prior to imposing an administrative civil penalty under certain air quality, controlled hazardous substances, and water pollution control regulatory laws; and repealing the mandatory requirement that a hearing be held.

BY repealing and reenacting, with amendments,

Article - Health - Environmental
Section 2-610.1(a) and 9-342(b)(1)
Annotated Code of Maryland
(1982 Volume and 1985 Supplement)

BY repealing and reenacting, with amendments,

Article - Health - Environmental
Section 7-266(b)(1)
Annotated Code of Maryland
(1982 Volume and 1985 Supplement)
(As enacted by Chapter 573 of the
Acts of the General Assembly of 1983)

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

Article - Health - Environmental

2-610.1.

(a) In addition to any other remedies available at law or in equity and after AN OPPORTUNITY FOR a hearing WHICH MAY BE WAIVED IN WRITING BY THE PERSON ACCUSED OF A VIOLATION [at which a violation is found to exist], the Department may impose a penalty for violation of any provision of this title, Subtitle 4 of Title 6, or any rule, regulation, order, plan for compliance, registration, or permit adopted or issued under those provisions.

7-266.