

WILLIAM DONALD SCHAEFER, Governor

(1) AWARD ANY EQUITABLE RELIEF FOR PROMPT PAYMENT OF UNDISPUTED AMOUNTS THAT IT CONSIDERS NECESSARY, INCLUDING THE ENJOINING OF FURTHER VIOLATIONS; AND

(2) IN ANY ACTION, AWARD TO THE PREVAILING PARTY:

(I) INTEREST FROM THE DATE THE COURT DETERMINES THAT THE AMOUNT OWED WAS DUE; AND

(II) ANY REASONABLE COSTS INCURRED.

(B) IF A COURT DETERMINES THAT AN OWNER, CONTRACTOR OR SUBCONTRACTOR HAS ACTED IN BAD FAITH BY FAILING TO PAY ANY UNDISPUTED AMOUNTS OWED AS REQUIRED UNDER § 9-302 OF THIS SUBTITLE, THE COURT MAY AWARD TO THE PREVAILING PARTY REASONABLE ATTORNEY'S FEES.

9-304.

THIS SUBTITLE DOES NOT:

(1) AFFECT THE RIGHTS OF CONTRACTING PARTIES UNDER TITLE 9, SUBTITLE 1 OF THIS ARTICLE;

(2) APPLY TO A CONTRACT FOR THE CONSTRUCTION AND SALE OF A SINGLE FAMILY RESIDENTIAL DWELLING;

(3) APPLY TO ANY TRANSACTION UNDER THE CUSTOM HOME PROTECTION ACT, TITLE 10, SUBTITLE 5 OF THIS ARTICLE;

(4) APPLY TO A HOME IMPROVEMENT CONTRACT BY A CONTRACTOR LICENSED UNDER ARTICLE 56 OF THE CODE; AND

(5) APPLY TO ANY CONTRACT AWARDED BY:

(I) THE STATE;

(II) A COUNTY;

(III) A MUNICIPAL CORPORATION;

(IV) A BOARD OF EDUCATION; OR

(V) A PUBLIC AUTHORITY OR INSTRUMENTALITY.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act does not apply to any contract entered into prior to July 1, 1989.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1989.