

Article 24 – Political Subdivisions – Miscellaneous Provisions

TITLE 13. CIVIL PENALTIES

13-101.

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

(2) (I) ~~“AGENCY” MEANS AN AGENCY OF A POLITICAL SUBDIVISION.~~

(II) ~~“AGENCY” INCLUDES A BOARD OF LICENSE COMMISSIONERS.~~

(2) (I) “UNIT” MEANS AN OFFICER OR OTHER ENTITY OF A POLITICAL SUBDIVISION.

(II) “UNIT” INCLUDES A BOARD OF LICENSE COMMISSIONERS.

(III) “UNIT” DOES NOT INCLUDE A COURT.

(3) “CIVIL PENALTY” MEANS A CIVIL FINE OR OTHER MONETARY PENALTY ADMINISTRATIVELY IMPOSED.

(4) “POLITICAL SUBDIVISION” MEANS:

(I) A COUNTY;

(II) A MUNICIPAL CORPORATION; OR

(III) A BICOUNTY AGENCY.

(B) UNLESS OTHERWISE PROVIDED BY STATUTE, ORDINANCE, OR REGULATION, ~~AN AGENCY~~ A UNIT AUTHORIZED BY LAW TO IMPOSE A CIVIL PENALTY UP TO A SPECIFIC DOLLAR AMOUNT FOR VIOLATION OF ANY STATUTE, ORDINANCE, OR REGULATION SHALL CONSIDER THE FOLLOWING IN SETTING THE AMOUNT OF THE PENALTY:

(1) THE SEVERITY OF THE VIOLATION FOR WHICH THE PENALTY IS TO BE ASSESSED;

(2) THE GOOD FAITH OF THE VIOLATOR; AND

(3) ANY HISTORY OF PRIOR VIOLATIONS; ~~AND~~

(4) ~~WHETHER THE AMOUNT OF THE PENALTY WILL ACHIEVE THE DESIRED DETERRENT PURPOSE.~~

Article – State Government

SUBTITLE 10. CIVIL PENALTIES

10-1001.

(A) IN THIS SECTION, “UNIT” MEANS AN OFFICER OR OTHER ENTITY IN THE EXECUTIVE BRANCH.