

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1997.

Approved May 22, 1997.

CHAPTER 632

(House Bill 1223)

AN ACT concerning

Maryland Home Improvement Law - ~~Standards of Proof~~ - Criminal Penalties

FOR the purpose of altering the ~~standards of proof and circumstances under which a person may be held criminally liable for certain violations of the Maryland Home Improvement Law~~; altering the penalties for certain criminal violations of the Maryland Home Improvement Law; and generally relating to home improvements.

BY repealing and reenacting, with amendments,

Article - Business Regulation

Section 8-601 and 8-623

Annotated Code of Maryland

(1992 Volume and 1996 Supplement)

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

Article - Business Regulation

8-601.

(a) Except as otherwise provided in this title, a person may not act or offer to act as a contractor in the State unless the person has a contractor license.

(b) Except as otherwise provided in this title, a person may not act or offer to act as a subcontractor in the State unless the person has a contractor license or subcontractor license.

(c) Except as otherwise provided in this title, a person may not sell or offer to sell a home improvement in the State unless the person has a contractor license or salesperson license.

(d) A person who [knowingly and willfully] violates this section is guilty of a misdemeanor and, on FIRST conviction, is subject to a fine not exceeding [\$5,000] \$1,000 or imprisonment not exceeding [2 years] 30 DAYS or both AND, ON A SECOND OR SUBSEQUENT CONVICTION, IS SUBJECT TO A FINE NOT EXCEEDING \$5,000 OR IMPRISONMENT NOT EXCEEDING 2 YEARS OR BOTH.