

**CHAPTER 572****(Senate Bill 16)**

AN ACT concerning

**Drinking Water - Administrative Penalty Authority**

FOR the purpose of authorizing the Department of the Environment to impose certain administrative penalties on certain suppliers of water serving certain numbers of people for certain violations related to safe drinking water, after considering certain factors; and generally relating to public water systems and drinking water standards and requirements.

BY repealing and reenacting, with amendments,

Article - Environment

Section 9-413

Annotated Code of Maryland

(1996 Replacement Volume and 2000 Supplement)

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

**Article - Environment**

9-413.

(a) A person who willfully violates § 9-412(a)(4) or (5) of this subtitle is subject to a civil penalty of up to \$5,000 for each day on which the violation exists.

(b) A person who violates § 9-412(a)(1), (2), or (3) of this subtitle is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$5,000 for each day on which the violation occurs or failure to comply continues.

(c) In an action brought in the appropriate court to enforce the order, a person who willfully violates or fails or refuses to comply with any order issued by the Secretary under this subtitle may be fined not more than \$5,000 for each day on which the violation occurs or failure to comply continues.

(d) (1) In addition to any other remedies available at law and after an opportunity for a hearing, which may be waived in writing by the person accused of a violation, the Department may impose a penalty for violation of any provision of this subtitle or any order, regulation, or plan adopted or issued under this subtitle.

(2) The penalty imposed on a supplier of water ~~+~~ serving a population of more than ~~10,000~~ ~~2,300~~ 10,000 under this subsection shall be:

(i) Up to \$1,000 PER DAY for each violation, but not exceeding \$25,000 total FOR EACH VIOLATION; and

(ii) Assessed with consideration given to: