

(1) UP TO \$100 PER DAY FOR EACH VIOLATION, BUT NOT EXCEEDING \$5,000 TOTAL FOR EACH VIOLATION; AND

(II) ASSESSED WITH CONSIDERATION GIVEN TO THE FACTORS SET FORTH IN PARAGRAPH (2)(II) OF THIS SUBSECTION.

~~(5) (I) THE DEPARTMENT MAY INCREASE THE PENALTY IMPOSED ON A SUPPLIER OF WATER SERVING A POPULATION OF 3,300 OR LESS, ON A CASE BY CASE BASIS, UP TO THE MAXIMUM PENALTIES SPECIFIED IN PARAGRAPH (2)(I) OF THIS SUBSECTION.~~

~~1. IF THE DEPARTMENT DETERMINES THAT THE PENALTIES SPECIFIED IN PARAGRAPH (2)(I) OR (4)(I) OF THIS SUBSECTION WILL NOT ADEQUATELY PROTECT THE INTERESTS OF THE STATE AND ENSURE COMPLIANCE WITH THIS SUBTITLE; AND~~

~~2. AFTER CONSIDERING THE FACTORS SET FORTH IN PARAGRAPH (2)(II) OF THIS SUBSECTION.~~

~~(II) IF THE DEPARTMENT DETERMINES THAT A HIGHER PENALTY IS REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE DEPARTMENT SHALL PROVIDE NOTICE TO THE SUPPLIER OF THE REASONS FOR THE HIGHER ASSESSMENT.~~

~~(3) (6) Each day a violation occurs is a separate violation under this subsection.~~

~~(4) (7) Any penalty imposed under this subsection is payable to the State and collectible in any manner provided at law for the collection of penalties.~~

~~(5) (8) All penalties collected under this subtitle shall be paid into the Maryland Clean Water Fund created under § 9-320 of this article.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2001.

Approved May 18, 2001.

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**CHAPTER 573**

**(Senate Bill 18)**

AN ACT concerning

**Recordation and Transfer Tax - Transfer from Real Estate Enterprise to Limited Liability Company**

FOR the purpose of altering certain exemptions from the recordation tax to provide for a separate exemption for certain instruments of writing that transfer title to real property from certain real estate enterprises to a limited liability company under certain circumstances; making conforming changes; adding an exemption