

(II) PARTICIPATING LAWFULLY IN SPEECH OR PEACEFUL ASSEMBLY OPPOSING ANY DENIAL OF THE OPPORTUNITY TO PARTICIPATE IN ANY OF THE ACTIVITIES, SERVICES, ORGANIZATIONS OR FACILITIES DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION.

(B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, ANY PERSON WHO IS CONVICTED OF VIOLATING SUBSECTION (A) OF THIS SECTION SHALL BE FINED NOT MORE THAN \$1,000 OR IMPRISONED NOT MORE THAN 1 YEAR OR BOTH.

(2) A PERSON WHO IS CONVICTED OF VIOLATING SUBSECTION (A) OF THIS SECTION SHALL BE:

(I) IF THE VIOLATION RESULTS IN BODILY INJURY, FINED NOT MORE THAN \$10,000 OR IMPRISONED NOT MORE THAN 10 YEARS OR BOTH; OR

(II) IF THE VIOLATION RESULTS IN DEATH, SUBJECT TO IMPRISONMENT FOR ANY TERM OF YEARS OR FOR LIFE.

Article 83B - Department of Housing and Community Development

6-102.

(a) (1) The Department, or an appropriate division of the Department, shall promulgate and adopt a State building code for the purpose of developing rules and regulations for making buildings and facilities accessible and usable by the physically handicapped to the extent feasible.

(2) The rules and regulations shall be developed in conjunction with the Governor's Committee for Employment of the Handicapped, the Maryland Rehabilitation Association, and the Maryland Society of Architects.

(3) (i) In addition to any other penalty for a violation of the State building code for the handicapped, the Secretary shall investigate to determine the existence of any violation.

(ii) If the Secretary determines that a violation exists, the Secretary may resolve any issue in the violation by informal methods of mediation and conciliation.

(iii) In addition to the provisions of subparagraph (ii) of this paragraph, the Secretary may institute in any court of competent jurisdiction in the subdivision in which the violation occurred an action for equitable relief which may include enjoining the construction, renovation, or occupancy of a building or facility that violates the Maryland Building Code for the Handicapped or to seek other appropriate relief from the violation.

(iv) Notwithstanding any other provision of this paragraph, the Secretary may not seek any injunction under subparagraph (iii) of this paragraph until 5 working days after the Secretary has sought to seek a resolution through mediation and conciliation under subparagraph (ii) of this paragraph.