

(4) The Attorney General is authorized to prosecute all civil cases arising under this section which are referred to the Attorney General by the Secretary.

(b) (1) Enforcement of the Code shall be the responsibility of local jurisdictions or any other public agencies having authority over buildings or facilities.

(2) The Department shall decide questions of interpretation of the Code and authorize any waivers or exemptions under the Code.

(c) (1) Any person who willfully violates any provision of the Maryland Building Code for the Handicapped adopted under subsection (a) of this section is guilty of a misdemeanor and on conviction for each violation is subject to a fine not exceeding \$500 for each day that the violation exists or imprisonment not exceeding 3 months, or both.

(2) Any penalty ordered under paragraph (1) of this subsection is in addition to and is not a substitute for any other penalty ordered under a federal, State, or local law.

(D) (1) NOTHING IN THIS SECTION SHALL LIMIT THE AUTHORITY OF THE HUMAN RELATIONS COMMISSION TO ENFORCE THE PROVISIONS OF ARTICLE 49B, § 22 OF THE CODE.

(2) THE DEPARTMENT SHALL COOPERATE WITH AND PROVIDE TECHNICAL ASSISTANCE TO THE HUMAN RELATIONS COMMISSION CONCERNING ANY ACTION BROUGHT BY THE COMMISSION TO ENFORCE THE PROVISIONS OF ARTICLE 49B, § 22 OF THE CODE.

SECTION 4. AND BE IT FURTHER ENACTED, That this Act is intended to incorporate definitions of the federal Fair Housing Act Amendments Act of 1988 into State law. It is the intent of the Legislature that the definition of handicap under this Act may not be construed or interpreted to affect or alter, in any manner, the definition of physical or mental handicap contained in Article 49B, § 15(g) of the Code and any related regulations.

SECTION 5. AND BE IT FURTHER ENACTED, That the rules and regulations adopted by the Department of Housing and Community Development under Article 83B, § 6-102 of the Code be amended to incorporate by reference applicable federal law and regulations governing the design and construction of "covered multifamily dwellings" under 42 U.S.C. § 3604, as amended, and to prohibit the granting of any waiver of or exemption from these incorporated federal provisions under Article 83B, § 6-102(b)(2) of the Code for "covered multifamily dwellings".

SECTION 6. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1991.

Approved May 24, 1991.