

CHAPTER 120

(House Bill 181)

AN ACT concerning

**Pesticides – Civil Penalties**

FOR the purpose of altering civil penalties for violations of pesticide application laws and regulations; providing that each day ~~a violation occurs~~ certain subsequent violations occur a violation occurs is a separate violation; prohibiting certain total penalties from exceeding a certain amount; and generally relating to penalties for pesticide application violations.

BY repealing and reenacting, with amendments,

Article – Agriculture

Section 5-210.2

Annotated Code of Maryland

(1985 Replacement Volume and 1991 Supplement)

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

**Article – Agriculture**

5-210.2.

(a) (1) [In lieu of, or in addition to, suspension of the license, permit or certificate, the Secretary may impose a civil penalty of not more than \$1,000] A PERSON WHO VIOLATES ANY PROVISION OF THIS SUBTITLE IS SUBJECT TO A CIVIL PENALTY OF NOT MORE THAN \$5,000 FOR EACH \$2,500 FOR A FIRST VIOLATION OF THIS SUBTITLE.

(2) ~~(1)~~ A PERSON WHO VIOLATES ANY PROVISION OF THIS SUBTITLE IS SUBJECT TO A CIVIL PENALTY OF NOT MORE THAN \$5,000 FOR EACH SUBSEQUENT VIOLATION OF THIS SUBTITLE.

~~(H) FOR PURPOSES OF THIS PARAGRAPH, AFTER A FIRST VIOLATION,~~

~~(3) EACH DAY A VIOLATION UNDER THIS SUBSECTION OCCURS IS A SEPARATE VIOLATION UNDER THIS SUBSECTION.~~

[(b)]~~(3)~~ (4) In addition to THE DENIAL, SUSPENSION, OR revocation of the license, permit or certificate, the Secretary may impose a civil penalty ~~of not more than \$1,000~~ \$5,000 ON THE HOLDER OF A LICENSE, PERMIT, OR CERTIFICATE UNDER PARAGRAPH (1) OR (2) OF THIS SUBSECTION FOR EACH VIOLATION OF THIS SUBTITLE.