

~~(C) THE COMMISSION SHALL SUBMIT A REPORT OF ITS FINDINGS AND DETERMINATIONS, SUBJECT TO § 2-1312 OF THE STATE GOVERNMENT ARTICLE, TO THE GENERAL ASSEMBLY.~~

~~6-822.~~

~~THIS SUBTITLE MAY NOT BE CONSTRUED TO LIMIT THE LIABILITY OF NONPARTICIPATING OWNERS.~~

~~SECTION 2. AND BE IT FURTHER ENACTED, That the operation of the Lead Paint Poisoning Prevention and Compensation Fund, including the rights of claimants and the limitations on liability for owners participating in the Fund may not become effective until the Lead Paint Poisoning Prevention and Compensation Commission determines the likely number of claimants against the Fund, the average claim award, and the number of dwelling units and other properties participating in the Fund and that the Fund is sufficiently capitalized and has sufficient revenues to meet expected claims. In no case shall the operation of the Fund begin prior to the Commission developing and having on hand funds for their first year operating budget and there being at least \$7,500,000 in the Fund for payment of immediate grants and awards. Until the operation of the Fund, § 6-816 of the Environment Article may not become effective and all would-be claimants against the Fund shall retain all existing rights under applicable State laws.~~

~~SECTION 3. AND BE IT FURTHER ENACTED, That, prior to January 1, 1993, an owner seeking coverage by the Lead Paint Poisoning Prevention and Compensation Fund for a dwelling unit or property shall pay by September 1, 1992 to the Lead Paint Poisoning Prevention and Compensation Commission the registration fee, administrative costs fee, and certification fee required under § 6-808 of the Environment Article. The Lead Paint Poisoning Prevention and Compensation Commission shall deposit the certification fee into an escrow account until the owner submits the certification required under § 6-817 of the Environment Article for the dwelling unit or property. At any time prior to receipt of the certification, the owner may request the Lead Paint Poisoning Prevention and Compensation Commission to return the certification fee minus any processing fee to cover the Fund's cost for the initial processing of the owner's application. The owner may not receive the benefit of the exclusive remedy described in § 6-816 of the Environment Article unless the certification for the dwelling unit or property is received by the Lead Paint Poisoning Prevention and Compensation Commission by January 1, 1993.~~

~~SECTION 4. AND BE IT FURTHER ENACTED, That, if the Lead Paint Poisoning Prevention and Compensation Fund is ever without sufficient funds to cover its liabilities and ceases to exist, the Lead Paint Poisoning Prevention and Compensation Commission shall continue to receive the lead paint fee in accordance with § 6-809 of the Environment Article until it satisfies all of the awards for claims filed under § 6-811 of the Environment Article prior to the failure of the Lead Paint Poisoning Prevention and Compensation Fund.~~