

(b) Subsection (a) of this section does not apply to a licensed certified public accountant OR AN INDIVIDUAL PRACTICING UNDER A PRACTICE PRIVILEGE UNDER § 2-321 OF THIS TITLE who operates the business as a sole practitioner.

2-605.

(a) A person who violates any provision of this subtitle is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$500 or imprisonment not exceeding 6 months or both.

(b) (1) The Board may impose on a person who violates any provision of this subtitle a penalty not exceeding \$5,000 for each violation.

(2) In setting the amount of the penalty, the Board shall consider:

- (i) the seriousness of the violation;
- (ii) the harm caused by the violation;
- (iii) the good faith of the violator;
- (iv) any history of previous violations by the violator; and
- (v) any other relevant factors.

(3) The Board shall pay any penalty collected under this subsection into the General Fund of the State.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2008.

Approved by the Governor, May 13, 2008.

---

## CHAPTER 537

(House Bill 1309)

AN ACT concerning

**Business Regulation - Mold Remediation Services - Licensing**