

HB1073/630915/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 1073

(First Reading File Bill)

AMENDMENT NO. 1

In line 5, after “environment;” insert “providing that this Act may not be construed as limiting certain authority of the Department of the Environment to issue administrative orders or seek injunctive relief for certain violations;”; in line 8, strike “1-303(a)” and substitute “1-303”; in line 15, in each instance, strike the bracket; in the same line, in each instance, strike the comma; in the same line, strike “A”; in lines 15 and 16, strike “**OR AN ACTION FOR AN ADMINISTRATIVE PENALTY**”; and after line 19, insert:

**“(B) AN ACTION FOR AN ADMINISTRATIVE PENALTY BY THE DEPARTMENT FOR VIOLATION OF ANY PROVISION OF THIS ARTICLE OR ANY RULE, REGULATION, ORDER, OR PERMIT ADOPTED OR ISSUED UNDER THIS ARTICLE, SHALL BE INSTITUTED WITHIN 5 YEARS AFTER THE DATE THE DEPARTMENT KNEW OR REASONABLY SHOULD HAVE KNOWN OF THE VIOLATION.**

**[(b)] (C) A suit for a civil penalty by a political subdivision for violation of any provision of this article or any rule, regulation, order, or permit adopted or issued under this article, or for a violation under any regulatory program the political subdivision is required to adopt and enforce under the provisions of this article, shall be instituted within 3 years after the date the political subdivision knew or reasonably should have known of the violation.**”.

AMENDMENT NO. 2

Before line 20, insert:

(Over)

“SECTION 2. AND BE IT FURTHER ENACTED, That this Act may not be construed as limiting the authority of the Department of the Environment to issue administrative orders or seek injunctive relief for any violation of any provision of the Environment Article.”;

and in line 20, strike “2.” and substitute “3.”.