

HOUSE BILL 515

L3

9lr1639

By: **Delegates Hornberger, Beitzel, Cassilly, Chisholm, Jacobs, Jalisi, Krebs, Reilly, Rose, Saab, and Shoemaker**

Introduced and read first time: February 4, 2019

Assigned to: Environment and Transportation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 9, 2019

CHAPTER _____

1 AN ACT concerning

2 **Municipalities – Municipal Infraction Proceedings – Designation of a Building**
3 **Inspector or an Enforcement Officer to Testify**

4 FOR the purpose of authorizing a municipality to designate a certain qualified building
5 inspector or enforcement officer to testify in a municipal infraction proceeding
6 without the assistance of a prosecuting attorney; providing that a prosecuting
7 attorney is not limited in or restricted from calling certain individuals to testify in a
8 municipal infraction proceeding; defining a certain term; and generally relating to
9 municipal infraction proceedings.

10 BY adding to
11 Article – Local Government
12 Section 6–108.1
13 Annotated Code of Maryland
14 (2013 Volume and 2018 Supplement)

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

17 **Article – Local Government**

18 **6–108.1.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (A) IN THIS SECTION, “QUALIFIED BUILDING INSPECTOR OR ENFORCEMENT
2 OFFICER” MEANS A BUILDING INSPECTOR OR AN ENFORCEMENT OFFICER THAT IS
3 NATIONALLY ACCREDITED AND CERTIFIED BY THE INTERNATIONAL CODE COUNCIL
4 OR THE NATIONAL FIRE PROTECTION ASSOCIATION AS:

- 5 (1) A BUILDING INSPECTOR;
- 6 (2) A FIRE INSPECTOR;
- 7 (3) AN ACCESSIBILITY INSPECTOR; OR
- 8 (4) A PROPERTY MAINTENANCE AND HOUSING INSPECTOR.

9 (B) A MUNICIPALITY MAY DESIGNATE A QUALIFIED BUILDING INSPECTOR
10 OR ENFORCEMENT OFFICER TO TESTIFY IN A MUNICIPAL INFRACTION PROCEEDING
11 WITHOUT THE ASSISTANCE OF A PROSECUTING ATTORNEY.

12 (C) NOTHING IN THIS SECTION SHALL LIMIT OR RESTRICT THE ABILITY OF
13 A PROSECUTING ATTORNEY TO CALL INDIVIDUALS TO TESTIFY IN A MUNICIPAL
14 INFRACTION PROCEEDING.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2019.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.