

## Chapter 440

### (Senate Bill 66)

AN ACT concerning

#### **Maryland Home Improvement Commission – Membership, Quorum, ~~and~~ Meetings, and Reports**

FOR the purpose of altering the membership of the Maryland Home Improvement Commission; requiring the Governor to remove a member of the Commission if the member does not attend at least a certain number of certain Commission meetings, subject to an exception; requiring certain notice to be provided to the Governor; requiring the Governor to appoint a successor under certain circumstances; altering the quorum requirement for the Commission; altering the required frequency of Commission meetings; requiring the Commission to report certain information to certain committees of the General Assembly on or before a certain date each year; and generally relating to the Maryland Home Improvement Commission.

BY repealing and reenacting, with amendments,  
 Article – Business Regulation  
 Section 8–202(a) and (g) and 8–204(a) and (b)  
 Annotated Code of Maryland  
 (2010 Replacement Volume and 2012 Supplement)

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

#### **Article – Business Regulation**

8–202.

(a) (1) The Commission consists of **[7] 9** members, appointed by the Governor with the advice of the Secretary.

(2) Of the **[7] 9** members of the Commission:

(i) ~~[3] 4~~ shall have experience in some phase of the business of home improvement;

(ii) at least 1 shall have experience in the business of banking or finance; ~~and~~

(iii) **[3] 4** shall be consumer members; **AND**

**(IV) 1 SHALL HAVE EXPERIENCE IN SOME PHASE OF THE BUSINESS OF HOME IMPROVEMENT OR SHALL BE A CONSUMER MEMBER.**

*(g) (1) The Governor may remove a member for incompetence or misconduct.*

**(2) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION AND SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, THE GOVERNOR SHALL REMOVE A MEMBER IF THE MEMBER DID NOT ATTEND AT LEAST TWO-THIRDS OF THE COMMISSION MEETINGS HELD DURING THE PRIOR YEAR WHILE THE MEMBER WAS SERVING ON THE COMMISSION.**

**(3) THE GOVERNOR MAY ALLOW A MEMBER TO CONTINUE SERVING IF THE MEMBER HAS BEEN UNABLE TO ATTEND MEETINGS FOR REASONS SATISFACTORY TO THE GOVERNOR AND THE REASONS ARE MADE PUBLIC.**

**(4) IN ACCORDANCE WITH § 8-501 OF THE STATE GOVERNMENT ARTICLE, THE CHAIRMAN SHALL PROVIDE NOTICE TO THE GOVERNOR AND THE GOVERNOR SHALL APPOINT A SUCCESSOR.**

8-204.

(a) (1) **(I) ~~A~~ SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH,** A majority of the [authorized membership of] MEMBERS THEN SERVING ON the Commission is a quorum.

**(II) A QUORUM MAY NOT BE FEWER THAN 4 MEMBERS.**

(2) The Commission may not act unless at least a majority of the [authorized membership] MEMBERS THEN SERVING concur.

(b) (1) The Commission shall meet at least once [a month] EVERY 2 MONTHS.

(2) The Commission may hold meetings at the times and places in the State that it determines.

**(C) ON OR BEFORE DECEMBER 1 OF EACH YEAR, THE COMMISSION SHALL REPORT TO THE SENATE EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE AND THE HOUSE ECONOMIC MATTERS COMMITTEE, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, REGARDING:**

**(1) THE ATTENDANCE RECORD OF EACH COMMISSION MEETING, DISAGGREGATED BY THE CONSTITUENCY THAT THE ATTENDEE REPRESENTS PURSUANT TO THE ATTENDEE'S APPOINTMENT UNDER § 8-202(A)(2) OF THIS SUBTITLE;**

**(2) HOW MANY CLAIMS WERE CLOSED AT EACH MEETING; AND**

**(3) HOW MANY CLAIMS REMAIN OPEN AT THE CONCLUSION OF EACH MEETING.**

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2013.

**Approved by the Governor, May 16, 2013.**