

applicable thereto, is guilty of a misdemeanor, and upon conviction thereof by a court of competent jurisdiction of this State shall be punished by a fine not exceeding \$1,000 or imprisonment not to exceed 6 months or both.]

(A) (1) ANY PERSON WHO KNOWINGLY AND WILLFULLY VIOLATES ANY PROVISION OF THIS SUBTITLE IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$1,000 OR IMPRISONMENT NOT EXCEEDING 6 MONTHS OR BOTH.

(2) THIS PENALTY ONLY APPLIES WHERE THERE IS NO GREATER CRIMINAL PENALTY PROVIDED UNDER THIS SUBTITLE OR UNDER OTHER APPLICABLE LAW.

(B) (1) A PERSON MAY NOT KNOWINGLY AND WILLFULLY ENGAGE IN OR CONTINUE IN THE BUSINESS OF HOME IMPROVEMENT AS A SALESMAN, SUBCONTRACTOR, OR CONTRACTOR:

(I) WITHOUT BEING DULY LICENSED BY THE COMMISSION;

(II) WITHOUT BEING EXEMPT FROM LICENSING UNDER THIS SUBTITLE;

(III) AFTER LAPSE OR REVOCATION OF THE LICENSE; AND

(IV) DURING SUSPENSION OF THE LICENSE.

(2) A PERSON WHO VIOLATES THE PROVISIONS OF THIS SUBSECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$5,000 OR IMPRISONMENT NOT EXCEEDING 2 YEARS OR BOTH.

(C) THE PENALTIES IMPOSED UNDER THIS SECTION ARE IN ADDITION TO ANY ADMINISTRATIVE PENALTY OR CIVIL FINE IMPOSED UNDER THIS SUBTITLE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1990.

Approved May 29, 1990.