
By: Delegate Walkup

Introduced and read first time: January 22, 1997

Assigned to: Economic Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 17, 1997

CHAPTER ____

1 AN ACT concerning

2 **Kent County - Alcoholic Beverages**
3 **(Background Checks)**

4 FOR the purpose of including Kent County among those jurisdictions in which the Board
5 of License Commissioners is required to obtain certain information regarding new
6 applicants for alcoholic beverages licenses; requiring ~~confidentiality relating to~~
7 ~~background checks~~ the Board to adopt certain regulations; and generally relating to
8 alcoholic beverages in Kent County.

9 BY repealing and reenacting, with amendments,
10 Article 2B - Alcoholic Beverages
11 Section 10-103(b)(13)(vi)
12 Annotated Code of Maryland
13 (1996 Replacement Volume)

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

16 **Article 2B - Alcoholic Beverages**

17 10-103.

18 (b) Except as otherwise provided in this subtitle, every new application for a
19 license shall be made to the Board of License Commissioners upon forms prescribed by
20 the Comptroller and sworn to by the applicant. Every application for a license shall
21 contain the following statements:

22 (13) (vi) 1. The provisions of this subparagraph apply only in Cecil
23 County, Charles County, [and] Dorchester County, AND KENT COUNTY.

2

1 2. The Boards of License Commissioners shall:

2 A. Obtain criminal records of new alcoholic beverages license
3 applicants from the Criminal Justice Information System Central Repository of the
4 Department of Public Safety and Correctional Services;

5 B. Require applicants for new alcoholic beverages licenses to be
6 fingerprinted; and

7 C. Forward the fingerprints through the Criminal Justice
8 Information System Central Repository of the Department of Public Safety and
9 Correctional Services for transmittal to the Federal Bureau of Investigation (F.B.I.) for a
10 national criminal history records check. Applications for license renewal are not subject
11 to these provisions.

12 3. The County Commissioners may set a fee to cover the cost of
13 obtaining the fingerprints and the Maryland and national criminal history records check.

14 4. ~~The~~ EXCEPT AS PROVIDED IN SUB-SUBPARAGRAPH 6 OF
15 THIS SUBPARAGRAPH, THE Boards shall keep all criminal records in a sealed envelope
16 available only to the members of the Boards and the Clerks to the Boards. ~~THE KENT~~
17 ~~COUNTY BOARD SHALL ADOPT REGULATIONS TO FURTHER PRESERVE THE~~
18 ~~CONFIDENTIALITY OF ANY INFORMATION OBTAINED.~~

19 5. The hearing for a new applicant and the issuance of a license
20 may not be delayed due to the failure of the F.B.I. to provide the requested criminal
21 history records check by the date of the scheduled hearing.

22 6. THE KENT COUNTY BOARD OF LICENSE COMMISSIONERS
23 SHALL:

24 A. KEEP ALL CRIMINAL RECORDS IN A SEALED ENVELOPE
25 AVAILABLE ONLY TO THE MEMBERS OF THE BOARD AND THEIR DESIGNEES; AND

26 B. ADOPT REGULATIONS TO FURTHER PRESERVE THE
27 CONFIDENTIALITY OF INFORMATION OBTAINED UNDER THIS SUBPARAGRAPH.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 October 1, 1997.