By: **St. Mary's County Delegation** Introduced and read first time: February 1, 1999 Assigned to: Economic Matters

## A BILL ENTITLED

1 AN ACT concerning

2	St. Mary's County - Alcoholic Beverages Licenses - Felony Conviction
3 4 5 6 7 8 9	DR the purpose of requiring the Alcoholic Beverage Board of St. Mary's County to disapprove an alcoholic beverages license application of an applicant who has been convicted of a felony; authorizing the Board to deny a license renewal if certain persons have been convicted of a felony; requiring the Board to hold a hearing before renewing a license if certain persons have been convicted of a felony; and generally relating to alcoholic beverages licenses in St. Mary's County.
11 12 13 14	Y repealing and reenacting, with amendments, Article 2B - Alcoholic Beverages Section 10-202(a)(2) and (o) and 10-301(c-1) Annotated Code of Maryland (1998 Replacement Volume and 1998 Supplement)
15 16	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF IARYLAND, That the Laws of Maryland read as follows:
17	Article 2B - Alcoholic Beverages
18	0-202.
	(a) (2) (i) The application shall be disapproved and the license for which pplication is made shall be refused if the Board of License Commissioners for the lity or any county determines that:
22 23	1. The granting of the license is not necessary for the commodation of the public;
24 25	2. The applicant is not a fit person to receive the license for thich application is made;
26 27	3. The applicant has made a material false statement in his pplication;

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1 4. The applicant has practiced fraud in connection with the 2 application; 3 5. The operation of the business, if the license is granted, will 4 unduly disturb the peace of the residents of the neighborhood in which the place of 5 business is to be located; or 6. There are other reasons, in the discretion of the Board, 6 7 why the license should not be issued. [If] EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, IF no 8 (ii) 9 such findings are made by the Board, then the application shall be approved and the 10 license issuing authority shall issue the license for which application is made upon payment of the fee required to the local collecting agent. 11 12 (o) (1)In St. Mary's County, the County Treasurer: 13 [(1)](I) Shall collect the alcoholic beverages license fees; and 14 [(2)]Is authorized to issue alcoholic beverages licenses. (II) AN APPLICATION FOR A LICENSE SHALL BE DISAPPROVED AND THE 15 (2)16 LICENSE FOR WHICH APPLICATION IS MADE SHALL BE REFUSED IF THE ALCOHOLIC 17 BEVERAGE BOARD OF ST. MARY'S COUNTY DETERMINES THAT THE APPLICANT HAS 18 BEEN CONVICTED OF A FELONY. 19 10-301. THIS SECTION APPLIES ONLY IN PRINCE GEORGE'S AND ST. MARY'S 20 (c-1) (1)21 COUNTIES. 22 (2)IN THIS SECTION, "BOARD" MEANS: 23 IN PRINCE GEORGE'S COUNTY, THE PRINCE GEORGE'S COUNTY (I) 24 BOARD OF LICENSE COMMISSIONERS; OR IN ST. MARY'S COUNTY, THE ALCOHOLIC BEVERAGE BOARD OF 25 (II) 26 ST. MARY'S COUNTY. 27 [In Prince George's County, a] A renewal of a license may not be (3) 28 granted, at the discretion of the Board, if the licensee or any of the stockholders of the 29 corporation having the use of a license [have] HAS been convicted of a felony. A public 30 hearing shall be held by the [Prince George's County] Board [of License 31 Commissioners] prior to the renewal of that license. All relevant facts and 32 circumstances of the offense may be inquired into at that hearing.

33 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect

34 October 1, 1999.

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