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By: **Delegates Schisler and Eckardt**

Introduced and read first time: February 6, 2003

Assigned to: Economic Matters

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Committee Report: Favorable

House action: Adopted

Read second time: March 11, 2003

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CHAPTER 166

1 AN ACT concerning

2 **Talbot County - Applicants for Alcoholic Beverages Licenses - Criminal**  
3 **History Records Check**

4 FOR the purpose of requiring the Board of Liquor License Commissioners of Talbot  
5 County to require an applicant for a new alcoholic beverages license or for a  
6 transfer of an existing alcoholic beverages license to be fingerprinted and be the  
7 subject of a State and national criminal history records check; prohibiting the  
8 Board from disseminating certain information to certain persons; authorizing  
9 the Board to disseminate certain information to members of the Board and their  
10 designees; authorizing the Board to charge certain applicants for certain costs;  
11 authorizing the Board to make a certain exemption for certain persons; defining  
12 certain terms; making this Act an emergency measure; and generally relating to  
13 alcoholic beverages licenses in Talbot County.

14 BY adding to  
15 Article 2B - Alcoholic Beverages  
16 Section 10-103(b)(13)(xiii)  
17 Annotated Code of Maryland  
18 (2001 Replacement Volume and 2002 Supplement)

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

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**Article 2B - Alcoholic Beverages**

2 10-103.

3 (b) (13) (XIII) 1. A. IN THIS SUBPARAGRAPH THE FOLLOWING WORDS  
4 HAVE THE MEANINGS INDICATED.

5 B. "APPLICANT" MEANS AN APPLICANT FOR A NEW  
6 ALCOHOLIC BEVERAGES LICENSE OR FOR A TRANSFER OF AN EXISTING ALCOHOLIC  
7 BEVERAGES LICENSE.

8 C. "BOARD" MEANS THE BOARD OF LIQUOR LICENSE  
9 COMMISSIONERS OF TALBOT COUNTY.

10 2. THIS SUBPARAGRAPH APPLIES ONLY IN TALBOT COUNTY.

11 3. THE BOARD SHALL:

12 A. REQUIRE AN APPLICANT TO BE FINGERPRINTED;

13 B. FORWARD THE FINGERPRINTS TO THE CRIMINAL JUSTICE  
14 SYSTEM CENTRAL REPOSITORY IN THE DEPARTMENT OF PUBLIC SAFETY AND  
15 CORRECTIONAL SERVICES; AND

16 C. REQUEST FROM THE CENTRAL REPOSITORY A STATE AND  
17 NATIONAL CRIMINAL HISTORY RECORDS CHECK OF THE APPLICANT.

18 4. THE BOARD MAY NOT DISSEMINATE INFORMATION FROM  
19 CRIMINAL RECORDS TO THE PUBLIC BUT MAY MAKE INFORMATION FROM CRIMINAL  
20 RECORDS AVAILABLE TO MEMBERS OF THE BOARD AND THEIR DESIGNEES.

21 5. THE BOARD MAY CHARGE AN APPLICANT FOR THE COST  
22 OF FINGERPRINTING AND PERFORMING A STATE AND NATIONAL CRIMINAL HISTORY  
23 RECORDS CHECK.

24 6. THE BOARD MAY EXEMPT FROM THIS SUBPARAGRAPH A  
25 LICENSE HOLDER WHO SEEKS TO RENEW AN ALCOHOLIC BEVERAGES LICENSE.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency  
27 measure, is necessary for the immediate preservation of the public health or safety,  
28 has been passed by a ye and nay vote supported by three-fifths of all the members  
29 elected to each of the two Houses of the General Assembly, and shall take effect from  
30 the date it is enacted.

