

Chapter 100

(House Bill 350)

AN ACT concerning

Business Regulation – Outdoor Musical Festival Promoter License – Repeal of Safety Permit Requirement

FOR the purpose of repealing the requirement that an applicant for a promoter license to act as a promoter of outdoor musical festivals obtain a certain safety permit from the Secretary of State Police; requiring a certain approval by a local law enforcement unit of an applicant for a promoter license to be based on certain criteria relating to safety and security; repealing the authority of the Department of State Police to charge an applicant for a promoter license a certain fee for certain costs; and generally relating to the requirements for a license to promote outdoor musical festivals.

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 17–1404
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY repealing
Article – Business Regulation
Section 17–1406
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

17–1404.

- (a) An applicant for a promoter license shall:
- (1) pay to the clerk a license fee of \$500; **AND**
 - (2) get a health permit from the health officer[; and
 - (3) get a safety permit from the Secretary of State Police].

(b) An applicant for a health permit shall:

- (1) post a bond in accordance with § 17-1405 of this subtitle;
- (2) establish adequate health facilities and sanitation in accordance with any regulations adopted by the Department of Health and Mental Hygiene to govern outdoor musical festivals; and
- (3) show that the applicant has obtained approval of the local law enforcement unit.

(c) (1) [An applicant for a safety permit shall show that the applicant has provided] **APPROVAL OF A LOCAL LAW ENFORCEMENT UNIT UNDER SUBSECTION (B)(3) OF THIS SECTION SHALL BE BASED ON THE APPLICANT'S ABILITY TO PROVIDE:**

- (i) adequate security for the safety of spectators and their property;
- (ii) adequate arrangements for the orderly flow of traffic to, at, and from the outdoor musical festival; and
- (iii) adequate security for those persons who might reasonably be affected by the outdoor musical festival and for their property.

(2) Paragraph (1)(iii) of this subsection does not apply in St. Mary's County.

[17-1406.

Notwithstanding the license fee imposed under this subtitle, the Department of State Police may charge an applicant for a promoter license a fee of not more than \$12 to cover the costs of securing records from a source other than the Department of State Police.]

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

Approved by the Governor, April 9, 2013.