

HOUSE BILL 972

L2

6lr2080
CF 6lr3660

By: **St. Mary's County Delegation**

Introduced and read first time: February 10, 2016

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **St. Mary's County – Local Licenses – Repeal**

3 FOR the purpose of repealing certain provisions of law that relate to certain licenses issued
4 in St. Mary's County.

5 BY repealing

6 The Public Local Laws of St. Mary's County
7 Section 61–1 through 61–3 and the chapter “Chapter 61. Hucksters and Peddlers”
8 Article 19 – Public Local Laws of Maryland
9 (2007 Edition and March 2014 Supplement, as amended)

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

12 **Article 19 – St. Mary's County**

13 **[Chapter 61. Hucksters and Peddlers.]**

14 **[61–1.**

15 A. (1) A huckster, hawker or peddler may not sell or offer for sale any fruits
16 or vegetables in St. Mary's County without a license.

17 (2) This section does not apply to farmers or growers selling their own
18 fruits or vegetables.

19 B. (1) An applicant for a license shall pay an annual license fee set by the
20 County Commissioners, by resolution, to the Clerk of the Circuit Court of St. Mary's
21 County.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) The Clerk of the Court shall pay the receipts from the issuance of the
2 licenses to the County Treasurer for the use of the county.

3 C. Any person violating the provisions of this section on conviction is subject to a
4 fine not exceeding one thousand dollars (\$1,000.00).]

5 [61-2.

6 A. A person may not conduct the business of or act as an itinerant or
7 door-to-door peddler or salesman of goods, wares or merchandise, either by sample or
8 otherwise, in St. Mary's County unless the person holds a current license issued by the
9 Sheriff of the county. As used in this section, "peddler or salesman" includes one who offers
10 for sale or solicits subscriptions for magazines or other periodical publications.

11 B. The Sheriff shall make available application forms for a peddler's and
12 magazine seller's license, requiring such information as, in the opinion of the Sheriff, may
13 be necessary to keep an appropriate listing of the persons in St. Mary's County who are
14 engaged in these occupations. The license shall be issued on application, at an annual cost
15 set by the County Commissioners, by resolution. The cost may not be prorated for portions
16 of a year. The license year begins as of January 1.

17 C. This section may not be construed or used to apply to any person who is going
18 from door to door in any activity or enterprise which is conducted for and on behalf of any
19 nonprofit, charitable or eleemosynary agency or organization; or to any person who is going
20 from door to door or utilizing roadside stands in the sale of farm produce or seafood of any
21 kind which the person has produced or taken within the limits of St. Mary's County; or to
22 any person who is selling or delivering newspapers.

23 D. Any person who violates any provision of this section is guilty of a
24 misdemeanor and on conviction is subject to a fine not exceeding one thousand dollars
25 (\$1,000.00) for each violation.]

26 [61-3.

27 A. An individual may not conduct business as a palm reader, fortune teller,
28 soothsayer, or psychic in St. Mary's County without a current license issued by the Sheriff
29 of the county.

30 B. The Sheriff of St. Mary's County shall make available license application
31 forms for palm readers, fortune tellers, soothsayers, and psychics. The license shall cover a
32 1-year period and shall cost a fee set by the County Commissioners, by resolution.

33 C. The Sheriff may issue a license only upon photographing and fingerprinting
34 the applicant and determining that the applicant has never been convicted of a felony or
35 misdemeanor for which a sentence of unsuspended imprisonment of six (6) months or more
36 was imposed unless the applicant:

1 (1) Was pardoned by the Governor of Maryland under Article II, Section 20
2 of the Maryland Constitution; or

3 (2) Was granted relief under Title 18, Section 925(c) of the United States
4 Code.

5 D. Any conviction of a license holder for a felony or misdemeanor for which an
6 unsuspended imprisonment of six (6) months or more has been imposed shall result in
7 automatic revocation of the license.

8 E. This section does not apply to any activity conducted on behalf of any nonprofit
9 or charitable agency or organization.

10 F. Any person violating the provisions of this section is guilty of a misdemeanor
11 and is subject to a fine of not more than one thousand dollars (\$1,000.00) for each violation
12 and imprisonment for not more than 60 days, or both.]

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 2016.