

# SENATE BILL 995

L2

6lr3660  
CF HB 972

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By: **Senator Waugh**

Introduced and read first time: February 12, 2016

Assigned to: Rules

Re-referred to: Education, Health, and Environmental Affairs, February 19, 2016

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Committee Report: Favorable

Senate action: Adopted

Read second time: March 17, 2016

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## CHAPTER \_\_\_\_\_

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.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

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

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

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

10 [61-2.

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

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

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

28           D.    Any person who violates any provision of this section is guilty of a  
29 misdemeanor and on conviction is subject to a fine not exceeding one thousand dollars  
30 (\$1,000.00) for each violation.]

31 [61-3.

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

1 B. The Sheriff of St. Mary’s County shall make available license application  
2 forms for palm readers, fortune tellers, soothsayers, and psychics. The license shall cover a  
3 1–year period and shall cost a fee set by the County Commissioners, by resolution.

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

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

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

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

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

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

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

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.