

# HOUSE BILL 138

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CF SB 6

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By: **Chair, Economic Matters Committee (By Request – Departmental – Labor,  
Licensing and Regulation)**

Introduced and read first time: January 18, 2017

Assigned to: Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Occupational and Professional Licensing Boards, Commissions, and Regulatory**  
3 **Entities – Notifications of Applicants, Licensees, Registrants, and Permit**  
4  **Holders**

5 FOR the purpose of altering the methods by which certain occupational and professional  
6 licensing boards, commissions, and other regulatory entities are authorized to send  
7 certain notices to certain applicants and certain renewal notices to certain licensees,  
8 registrants, or permit holders; altering certain requirements for, and the contents of,  
9 certain notices; and generally relating to notifications of licensees, registrants,  
10 permit holders, and certificate holders regulated by occupational and professional  
11 licensing boards, commissions, and other regulatory entities.

12 BY repealing and reenacting, with amendments,

13 Article – Business Occupations and Professions

14 Section 2–305(f) and (g)(1), 2–309(a), 2–311(b), 2–313(c)(2), 2–405(a), 2–407(b),  
15 3–309(b), 3–408(b), 4–304.1(c), 4–310(c), 4–405(c), 4–506(b), 5–307(e),  
16 5–311(c), 5–405(c), 5–506(b), 6–306(g), 6–310(b), 6–311(d)(2), 6.5–312(b)(1),  
17 7–306(a), 7–308(b), 8–307(b), 9–309(b), 9–408(b), 11–408(b), 12–308(b),  
18 13–308(c), 14–314(b)(1), 14–407(b), 15–314(b)(1), 15–406(b), 16–308(b),  
19 16–3A–07(b), 16–5A–04(b)(2), 17–314(d), 18–307(c), 19–308(c), 20–309(b),  
20 21–306(a), and 21–308(b)

21 Annotated Code of Maryland

22 (2010 Replacement Volume and 2016 Supplement)

23 BY repealing and reenacting, with amendments,

24 Article – Business Regulation

25 Section 5–307(b), 8–308(c), 9A–304(c), 12–207(b), and 12.5–209(d)

26 Annotated Code of Maryland

27 (2015 Replacement Volume and 2016 Supplement)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY repealing and reenacting, with amendments,  
2 Article – Public Safety  
3 Section 12–833(b)  
4 Annotated Code of Maryland  
5 (2011 Replacement Volume and 2016 Supplement)

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

8 **Article – Business Occupations and Professions**

9 2–305.

10 (f) (1) The Board shall mail **OR ELECTRONICALLY TRANSMIT** to each  
11 applicant notice of the applicant’s examination score.

12 (2) Any applicant who requests an appointment within 60 days after the  
13 date on which the notice is mailed **OR ELECTRONICALLY TRANSMITTED** may review the  
14 applicant’s answers to the examination.

15 (g) (1) If the Board uses the services of the American Institute of Certified  
16 Public Accountants to grade an examination, the Board may [send] **MAIL OR**  
17 **ELECTRONICALLY TRANSMIT** the examination answers to the Institute [by electronic  
18 transmission, by mail, or by a private delivery service].

19 2–309.

20 (a) If an applicant qualifies for a license under this subtitle, the Board shall  
21 [send] **MAIL OR ELECTRONICALLY TRANSMIT TO** the applicant a notice that states that:

22 (1) the applicant has qualified for a license; and

23 (2) on receipt of a license fee set by the Board, the Board will issue a license  
24 to the applicant.

25 2–311.

26 (b) At least 1 month before a license expires, the Board shall mail **OR**  
27 **ELECTRONICALLY TRANSMIT** to the licensee[, at the last known address of the licensee]:

28 (1) a renewal application form; and

29 (2) a notice that states:

30 (i) the date on which the current license expires; **AND**

1 (ii) [the date by which the Board must receive the renewal  
2 application for the renewal to be issued and mailed before the license expires; and

3 (iii)] the amount of the license fee.

4 2-313.

5 (c) (2) At least 1 month before the inactive status of a licensee expires, the  
6 Board shall mail **OR ELECTRONICALLY TRANSMIT** to the licensee[, at the last known  
7 address of the licensee]:

8 (i) a renewal application form; and

9 (ii) a notice that states:

10 1. the date on which the inactive status expires; **AND**

11 2. [the date by which the Board must receive the renewal  
12 application for the renewal to be mailed before the inactive status expires; and

13 3.] the amount of the inactive status fee.

14 2-405.

15 (a) If an applicant qualifies for a permit under this subtitle, the Board shall  
16 [send] **MAIL OR ELECTRONICALLY TRANSMIT TO** the applicant a notice that states that:

17 (1) the applicant has qualified for a permit; and

18 (2) on receipt of a permit fee set by the Board, the Board will issue a permit  
19 to the applicant.

20 2-407.

21 (b) At least 1 month before a permit expires, the Board shall mail **OR**  
22 **ELECTRONICALLY TRANSMIT** to the permit holder[, at the last known address of the  
23 holder]:

24 (1) a renewal application form; and

25 (2) a notice that states:

26 (i) the date on which the current permit expires; **AND**

27 (ii) [the date by which the Board must receive the renewal  
28 application for the renewal to be issued and mailed before the permit expires; and

1 (iii)] the amount of the permit fee.

2 3-309.

3 (b) At least 1 month before a license expires, the Board shall mail **OR**  
4 **ELECTRONICALLY TRANSMIT** to the licensee[, at the last known address of the licensee]:

5 (1) a renewal application form; and

6 (2) a notice that states:

7 (i) the date on which the current license expires; **AND**

8 (ii) [the date by which the Board must receive the renewal  
9 application for the renewal to be issued and mailed before the license expires; and

10 (iii)] the amount of the license fee.

11 3-408.

12 (b) At least 1 month before a permit expires, the Board shall mail **OR**  
13 **ELECTRONICALLY TRANSMIT** to the permit holder[, at the last known address of the  
14 permit holder]:

15 (1) a renewal application form; and

16 (2) a notice that states:

17 (i) the date on which the current permit expires; **AND**

18 (ii) [the date by which the Board must receive the renewal  
19 application for the renewal to be issued and mailed before the permit expires; and

20 (iii)] the amount of the permit fee.

21 4-304.1.

22 (c) The Board or the Board's designees shall mail **OR ELECTRONICALLY**  
23 **TRANSMIT** to each applicant notice of the applicant's examination results.

24 4-310.

25 (c) At least 1 month before a license expires, the Board shall mail **OR**  
26 **ELECTRONICALLY TRANSMIT** to the licensee[, at the last known address of the licensee]:

1 (1) a renewal application form; and

2 (2) a notice that states:

3 (i) the date on which the current license expires; **AND**

4 (ii) [the date by which the Board must receive the renewal  
5 application for the renewal to be issued and mailed before the license expires; and

6 (iii)] the amount of the renewal fee.

7 4-405.

8 (c) At least 1 month before registration as an apprentice barber expires, the  
9 Board shall mail **OR ELECTRONICALLY TRANSMIT** to the apprentice barber[, at the last  
10 known address of the apprentice barber]:

11 (1) a renewal application form; and

12 (2) a notice that states:

13 (i) the date on which the current registration as an apprentice  
14 barber expires; **AND**

15 (ii) [the date by which the Board must receive the renewal  
16 application for the renewal to be approved, issued, and mailed before the registration  
17 expires; and

18 (iii)] the amount of the renewal fee.

19 4-506.

20 (b) At least 1 month before a barbershop permit expires, the Board shall mail **OR**  
21 **ELECTRONICALLY TRANSMIT** to the permit holder[, at the last known address of the  
22 holder]:

23 (1) a renewal application form; and

24 (2) a notice that states:

25 (i) the date on which the current permit expires; **AND**

26 (ii) [the date by which the Board must receive the renewal  
27 application for the renewal to be issued and mailed before the permit expires; and

28 (iii)] the amount of the renewal fee.

1 5-307.

2 (e) The Board or the Board's designee shall mail **OR ELECTRONICALLY**  
3 **TRANSMIT** to each applicant notice of the applicant's examination result.

4 5-311.

5 (c) At least 1 month before a license expires, the Board shall mail **OR**  
6 **ELECTRONICALLY TRANSMIT** to the licensee[, at the last known address of the licensee]:

7 (1) a renewal application form; and

8 (2) a notice that states:

9 (i) the date on which the current license expires; **AND**

10 (ii) [the date by which the Board must receive the renewal  
11 application for the renewal to be issued and mailed before the license expires; and

12 (iii)] the amount of the renewal fee.

13 5-405.

14 (c) At least 1 month before the registration of an individual expires, the Board  
15 shall mail **OR ELECTRONICALLY TRANSMIT** to the individual[, at the last known address  
16 of the individual]:

17 (1) a renewal application form; and

18 (2) a notice that states:

19 (i) the date on which the current registration expires; **AND**

20 (ii) [the date by which the Board must receive the renewal  
21 application for the renewal to be issued and mailed before the registration expires; and

22 (iii)] the amount of the renewal fee.

23 5-506.

24 (b) At least 1 month before a beauty salon permit expires, the Board shall mail  
25 **OR ELECTRONICALLY TRANSMIT** to the beauty salon permit holder[, at the last known  
26 address of the holder]:

27 (1) a renewal application form; and

1 (2) a notice that states:

2 (i) the date on which the current permit expires; **AND**

3 (ii) [the date by which the Board must receive the renewal  
4 application for the renewal to be issued and mailed before the permit expires; and

5 (iii)] the amount of the renewal fee.

6 6-306.

7 (g) Within 45 days after the examination, the State Board shall mail **OR**  
8 **ELECTRONICALLY TRANSMIT** to each applicant notice of the applicant's examination  
9 score.

10 6-310.

11 (b) At least 1 month before a State license expires, the State Board shall mail **OR**  
12 **ELECTRONICALLY TRANSMIT** to the State licensee[, at the last known address of the  
13 State licensee]:

14 (1) a renewal application form; and

15 (2) a notice that states:

16 (i) the date on which the current State license expires; **AND**

17 (ii) [the date by which the State Board must receive the renewal  
18 application for the renewal to be issued and mailed before the State license expires; and

19 (iii)] the amount of the renewal fee.

20 6-311.

21 (d) (2) At least 1 month before the inactive status of an individual expires, the  
22 State Board shall mail **OR ELECTRONICALLY TRANSMIT** to the individual[, at the last  
23 known address of the individual]:

24 (i) a renewal application form; and

25 (ii) a notice that states:

26 1. the date on which the inactive status expires; **AND**





1 (i) the date on which the current license expires; **AND**

2 (ii) [the date by which the Board must receive the renewal  
3 application for the renewal to be issued and mailed before the license expires; and

4 (iii)] the amount of the renewal fee.

5 8-307.

6 (b) At least 30 days before the certificate expires, the Board shall mail **OR**  
7 **ELECTRONICALLY TRANSMIT** to the certificate holder[, at the last known address of the  
8 certificate holder]:

9 (1) a renewal application form;

10 (2) a notice that states[:

11 (i)] the date on which the current certificate expires; and

12 [(ii) the date by which the Board must receive the renewal application  
13 for the renewal to be issued and mailed before the certificate expires; and]

14 (3) the amount of the certificate fee.

15 9-309.

16 (b) At least 1 month before a license expires, the Board shall mail **OR**  
17 **ELECTRONICALLY TRANSMIT** to the licensee[, at the last known address of the licensee]:

18 (1) a renewal application form; and

19 (2) a notice that states:

20 (i) the date on which the current license expires; **AND**

21 (ii) [the date by which the Board must receive the renewal  
22 application for the renewal to be issued and mailed before the license expires; and

23 (iii)] the amount of the license fee.

24 9-408.

25 (b) At least 1 month before a permit expires, the Board shall mail **OR**  
26 **ELECTRONICALLY TRANSMIT** to the permit holder[, at the last known address of the  
27 holder]:

1 (1) a renewal application form; and

2 (2) a notice that states:

3 (i) the date on which the current permit expires; **AND**

4 (ii) [the date by which the Board must receive the renewal  
5 application for the renewal to be issued and mailed before the permit expires; and

6 (iii)] the amount of the permit fee.

7 11-408.

8 (b) At least 1 month before a license expires, the Board shall mail **OR**  
9 **ELECTRONICALLY TRANSMIT** to the licensee[, at the last known address of the licensee]:

10 (1) a renewal application form; and

11 (2) a notice that states:

12 (i) the date on which the current license expires; **AND**

13 (ii) [the date by which the Board must receive the renewal  
14 application for the renewal to be issued and mailed before the license expires; and

15 (iii)] the amount of the renewal fee.

16 12-308.

17 (b) At least 1 month before a license expires, the Board shall mail **OR**  
18 **ELECTRONICALLY TRANSMIT** to the licensee[, at the last known address of the licensee]:

19 (1) a renewal application form; and

20 (2) a notice that states:

21 (i) the date on which the current license expires; **AND**

22 (ii) [the date by which the Board must receive the renewal  
23 application for the renewal to be issued and mailed before the license expires; and

24 (iii)] the amount of the renewal fee.

25 13-308.

1 (c) At least 1 month before a license expires, the Secretary shall mail **OR**  
2 **ELECTRONICALLY TRANSMIT** to the licensee[, at the last known address of the licensee]:

3 (1) a renewal application form; and

4 (2) a notice that states:

5 (i) the date on which the current license expires;

6 (ii) [that the Secretary must receive the renewal application and the  
7 statements required under § 13–309 of this subtitle, at least 15 days before the license  
8 expiration date, for the renewal to be issued and mailed before the license expires;

9 (iii)] the amount of the renewal fee;

10 [(iv)] **(III)** that, if the statements required under § 13–309 of this  
11 subtitle are not received at least 15 days before the license expiration date, a fee of \$10 per  
12 day shall be charged against the licensee until the statements are received; and

13 [(v)] **(IV)** that the submission of a false statement in the renewal  
14 application or in the annual statements is cause for revocation of the license.

15 14–314.

16 (b) (1) At least 1 month before a license expires, the Board shall mail **OR**  
17 **ELECTRONICALLY TRANSMIT** to the licensee[, at the last known address of the licensee]:

18 (i) a renewal application form; and

19 (ii) a notice that states:

20 1. the date on which the current license expires; **AND**

21 2. [the date by which the Board must receive the renewal  
22 application for the renewal to be issued and mailed before the license expires; and

23 3.] the amount of the license fee.

24 14–407.

25 (b) At least 1 month before a permit expires, the Board shall mail **OR**  
26 **ELECTRONICALLY TRANSMIT** to the permit holder[, at the last known address of the  
27 holder]:

28 (1) a renewal application form; and

1 (2) a notice that states:

2 (i) the date on which the current permit expires; **AND**

3 (ii) [the date by which the Board must receive the renewal  
4 application for the renewal to be issued and mailed before the permit expires; and

5 (iii)] the amount of the permit fee.

6 15-314.

7 (b) (1) At least 1 month before a license expires, the Board shall mail **OR**  
8 **ELECTRONICALLY TRANSMIT** to the licensee[, at the last known address of the licensee]:

9 (i) a renewal application form; and

10 (ii) a notice that states:

11 1. the date on which the current license expires; **AND**

12 2. [the date by which the Board must receive the renewal  
13 application for the renewal to be issued and mailed before the license expires; and

14 3.] the amount of the license fee.

15 15-406.

16 (b) At least 1 month before a permit expires, the Board shall mail **OR**  
17 **ELECTRONICALLY TRANSMIT** to the permit holder[, at the last known address of the  
18 holder]:

19 (1) a renewal application form; and

20 (2) a notice that states:

21 (i) the date on which the current permit expires; **AND**

22 (ii) [the date by which the Board must receive the renewal  
23 application for the renewal to be issued and mailed before the permit expires; and

24 (iii)] the amount of the permit fee.

25 16-308.

1 (b) At least 1 month before the license expires, the Commission shall [send] MAIL  
2 OR ELECTRONICALLY TRANSMIT to the licensee[, at the last known address of the  
3 licensee]:

4 (1) a renewal application form; and

5 (2) a notice that states:

6 (i) the date on which the current license expires; AND

7 (ii) [the date by which the Commission must receive the renewal  
8 application for the renewal to be issued and mailed before the license expires; and

9 (iii)] the amount of the renewal fee.

10 16-3A-07.

11 (b) At least 1 month before a license expires, the Commission shall mail OR  
12 ELECTRONICALLY TRANSMIT to the licensee[, at the last known address of the licensee]:

13 (1) a renewal application form; and

14 (2) a notice that states:

15 (i) the date on which the current license expires; and

16 (ii) the amount of the renewal fee.

17 16-5A-04.

18 (b) (2) At least 1 month before a real estate appraiser trainee license expires,  
19 the Commission shall mail OR ELECTRONICALLY TRANSMIT to the licensee[, at the last  
20 known address of the licensee]:

21 (i) a renewal application form; and

22 (ii) a notice that states:

23 1. the date on which the current license expires; AND

24 2. [the date by which the Commission must receive the  
25 renewal application for the renewal to be issued and mailed before the license expires; and

26 3.] the amount of the renewal fee.

27 17-314.

1 (d) (1) At least 1 month before a license expires, the Commission shall mail  
2 **OR ELECTRONICALLY TRANSMIT** to the licensee, as provided in paragraph (2) of this  
3 subsection:

4 (i) a renewal application form; and

5 (ii) a notice that states:

6 1. the date on which the current license expires; **AND**

7 2. [the date by which the Commission must receive the  
8 renewal application for the renewal to be issued and mailed before the license expires; and

9 3.] the amount of the renewal fee.

10 (2) (i) If the licensee is a real estate broker, the Commission shall mail  
11 **OR ELECTRONICALLY TRANSMIT** the renewal application form and notice to the principal  
12 office of the broker.

13 (ii) If the licensee is an associate real estate broker or a real estate  
14 salesperson, the Commission shall mail **OR ELECTRONICALLY TRANSMIT** the renewal  
15 application form and notice to the principal office of the real estate broker with whom the  
16 licensee is affiliated.

17 18–307.

18 (c) At least 1 month before a license expires, the Secretary shall mail **OR**  
19 **ELECTRONICALLY TRANSMIT** to the agency[, at the last known address of the agency]:

20 (1) a renewal application form; and

21 (2) a notice that states:

22 (i) the date on which the current license expires;

23 (ii) [that the Secretary must receive the renewal application and  
24 proof of insurance or bonding as required in § 18–401 of this title at least 15 days before  
25 the license expiration date for the renewal to be issued and mailed before the license  
26 expires;

27 (iii)] the amount of the renewal fee;

28 [(iv)] **(III)** that, if the complete renewal application and proof of  
29 insurance or bonding as required in § 18–401 of this title are not received at least 15 days

1 before the license expiration date, a fee of \$25 per day shall be charged against the agency  
2 until the day the license expires, at which time the agency shall be considered closed;

3 ~~[(v)] (IV)~~ that an agency may not be issued a license under this title  
4 until all outstanding obligations are satisfied with the Secretary; and

5 ~~[(vi)] (V)~~ that the submission of a false statement in the renewal  
6 application or the submission of altered or false documents that are otherwise required is  
7 cause for revocation of the agency license.

8 19–308.

9 (c) At least 1 month before a license expires, the Secretary shall mail **OR**  
10 **ELECTRONICALLY TRANSMIT** to the licensee[, at the last known address of the licensee]:

11 (1) a renewal application form; and

12 (2) a notice that states:

13 (i) the date on which the current license expires;

14 (ii) [that the Secretary must receive the renewal application and the  
15 statements required under § 19–309 of this subtitle, at least 15 days before the license  
16 expiration date, for the renewal to be issued and mailed before the license expires;

17 (iii)] the amount of the renewal fee;

18 ~~[(iv)] (III)~~ that, if the statements required under § 19–309 of this  
19 subtitle are not received at least 15 days before the license expiration date, a fee of \$10 per  
20 day shall be charged against the licensee until the statements are received; and

21 ~~[(v)] (IV)~~ that the submission of a false statement in the renewal  
22 application or in the annual statements is cause for revocation of the license.

23 20–309.

24 (b) At least 2 months before a license expires, the Secretary shall mail **OR**  
25 **ELECTRONICALLY TRANSMIT** to the licensee[, at the last known address of the licensee]:

26 (1) a renewal application form; and

27 (2) a notice that states:

28 (i) the date on which the current license expires;

1 (ii) [that the Secretary must receive the renewal application at least  
2 21 days before the license expiration date, for the renewal to be issued and mailed before  
3 the current license expires;

4 (iii)] the amount of the renewal fee; and

5 [(iv)] (III) that the submission of a false statement in the renewal  
6 application or in the annual statements is cause for revocation of the license.

7 21-306.

8 (a) If an applicant qualifies for a registration under this subtitle, the Board shall  
9 [send] MAIL OR ELECTRONICALLY TRANSMIT TO the applicant a notice that states that:

10 (1) the applicant has qualified for a registration; and

11 (2) on receipt of a registration fee set by the Board, the Board will issue a  
12 registration to the applicant.

13 21-308.

14 (b) At least 1 month before a registration expires, the Board shall mail OR  
15 ELECTRONICALLY TRANSMIT to the individual[, at the last known address of the  
16 individual]:

17 (1) a renewal application form; and

18 (2) a notice that states:

19 (i) the date on which the current registration expires; AND

20 (ii) [the date by which the Board must receive the renewal  
21 application for the renewal to be issued and mailed before the registration expires; and

22 (iii)] the amount of the renewal fee.

### 23 Article – Business Regulation

24 5-307.

25 (b) At least 90 days before a registration or permit expires, the Director shall mail  
26 OR ELECTRONICALLY TRANSMIT to the registrant or permit holder[, at the last known  
27 address of the registrant or permit holder]:

28 (1) a renewal application form; and



1 (2) a notice that states:

2 (i) the date on which the current registration or permit expires; **AND**

3 (ii) [the date by which the Director must receive the renewal  
4 application for the renewal to be issued and mailed before the registration or permit  
5 expires; and

6 (iii)] the amount of the renewal fee.

7 8–308.

8 (c) At least 1 month before a license expires, the Commission shall mail **OR**  
9 **ELECTRONICALLY TRANSMIT** to the licensee[, at the last known address of the licensee]:

10 (1) a renewal application form; and

11 (2) a notice that states:

12 (i) the date on which the current license expires; **AND**

13 (ii) [the date by which the Commission must receive the renewal  
14 application for the renewal to be issued and mailed before the license expires; and

15 (iii)] the amount of the renewal fee.

16 9A–304.

17 (c) The Board shall [send] **MAIL OR ELECTRONICALLY TRANSMIT** written  
18 notice of the date, hour, and place of examination to each applicant for a license who is  
19 required to pass the examination.

20 12–207.

21 (b) At least 1 month before a license expires, the Secretary shall mail **OR**  
22 **ELECTRONICALLY TRANSMIT** to the licensee[, at the last known address of the licensee]:

23 (1) a renewal application form; and

24 (2) a notice that states:

25 (i) the date on which the current license expires; **AND**

26 (ii) [the date by which the Secretary must receive the renewal  
27 application for the renewal to be issued and mailed before the license expires; and

1 (iii)] the amount of the renewal fee.

2 12.5–209.

3 (d) At least 60 days before a license expires, the Secretary shall mail **OR**  
4 **ELECTRONICALLY TRANSMIT** to the licensee[, at the last known address of the licensee]:

5 (1) a renewal application form;

6 (2) a form that allows a licensee to update the information submitted in the  
7 original application or state that the information is current and accurate;

8 (3) except as provided in subsection (e) of this section, a form that requires  
9 the licensee to agree to continue to comply with each requirement applicable to the original  
10 application; and

11 (4) a notice that states:

12 (i) the date on which the current license expires; **AND**

13 (ii) [the date by which the Secretary must receive the renewal  
14 application for the renewal to be issued and mailed before the license expires; and

15 (iii)] the amount of the renewal fee.

### 16 Article – Public Safety

17 12–833.

18 (b) At least 1 month before a license expires, the Board shall mail **OR**  
19 **ELECTRONICALLY TRANSMIT** to the licensee[, at the last known address of the licensee]:

20 (1) a renewal application form; and

21 (2) a notice that states:

22 (i) the date on which the current license expires; **AND**

23 (ii) [the date by which the Board must receive the renewal  
24 application for the renewal to be issued and mailed before the license expires; and

25 (iii)] the amount of the renewal fee.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
27 October 1, 2017.