C27lr0103

(PRE-FILED)

By: Chair, Education, Health, and Environmental Affairs Committee (By Request Departmental – Labor, Licensing and Regulation)

Requested: September 29, 2016

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Introduced and read first time: January 11, 2017

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

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. 12BY 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), 7-306(a), 7-308(b), 8-307(b), 9-309(b), 9-408(b), 11-408(b), 12-308(b), 17 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) 21Annotated Code of Maryland 22 (2010 Replacement Volume and 2016 Supplement) 23 BY repealing and reenacting, with amendments. 24Article – Business Regulation

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

(2015 Replacement Volume and 2016 Supplement)

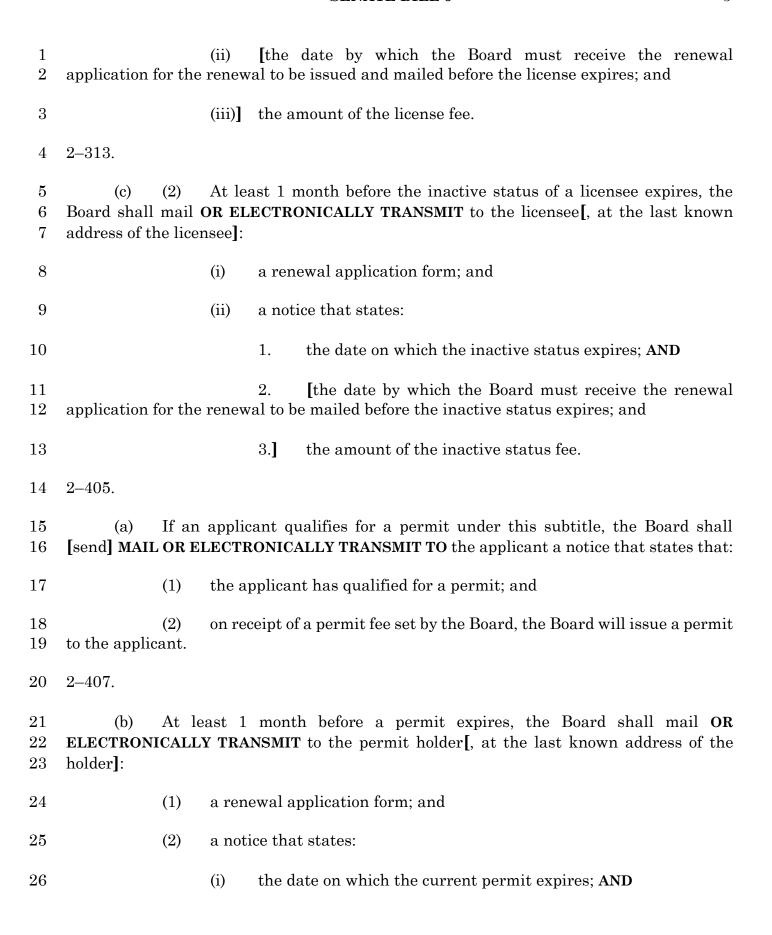
Section 5–307(b), 8–308(c), 9A–304(c), 12–207(b), and 12.5–209(d)

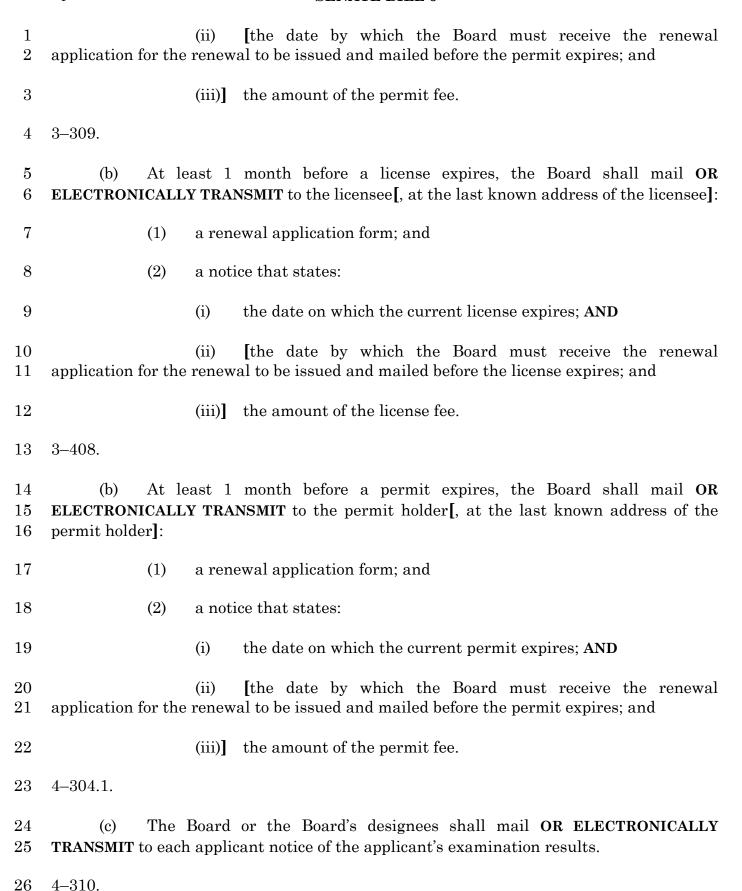
[Brackets] indicate matter deleted from existing law.

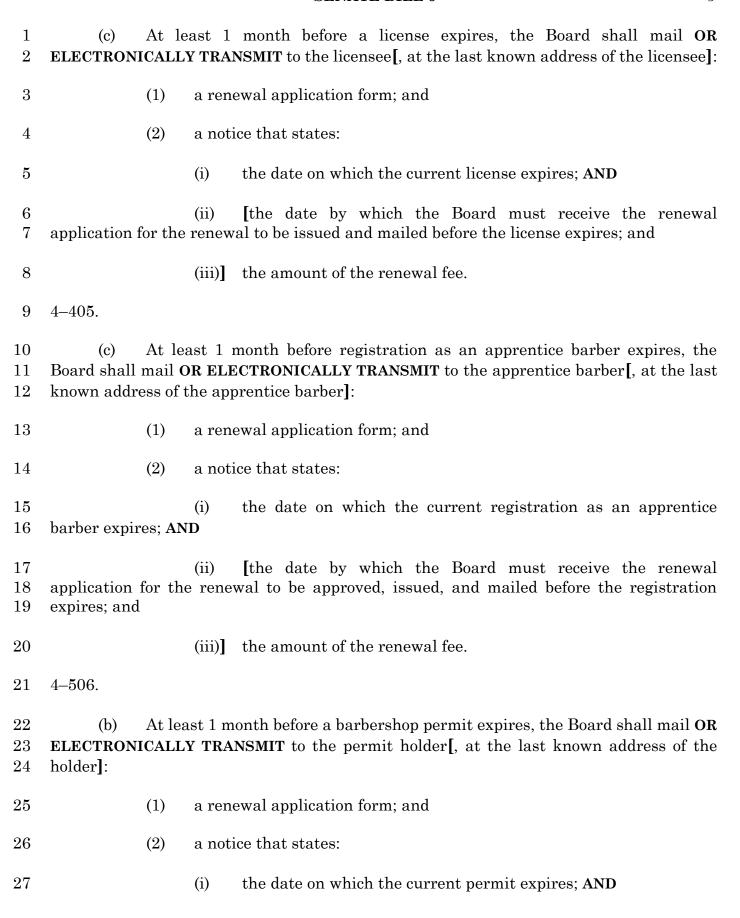
Annotated Code of Maryland

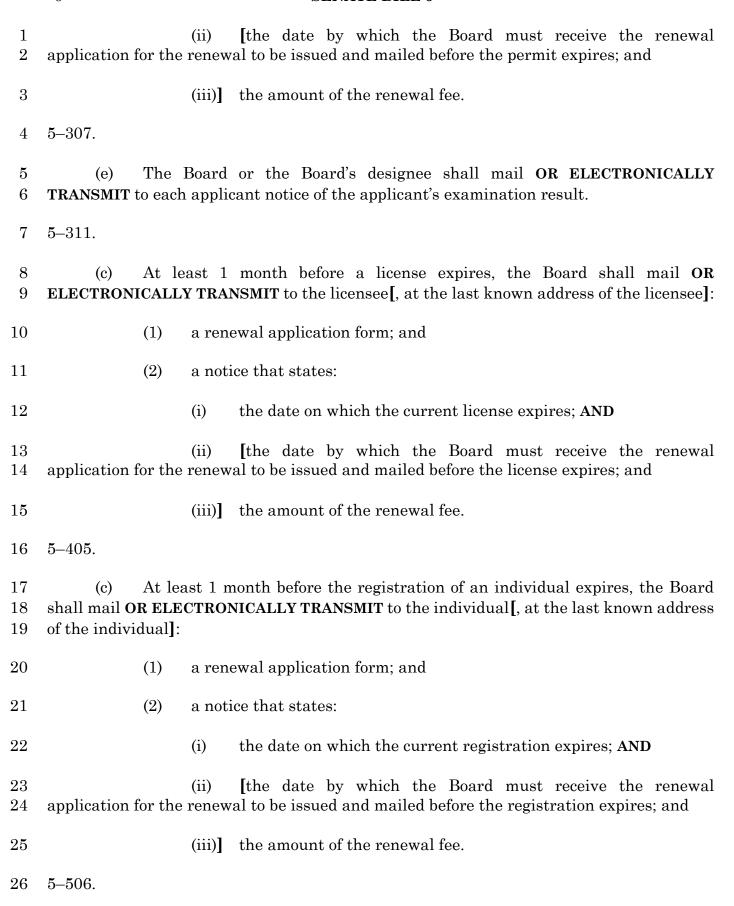


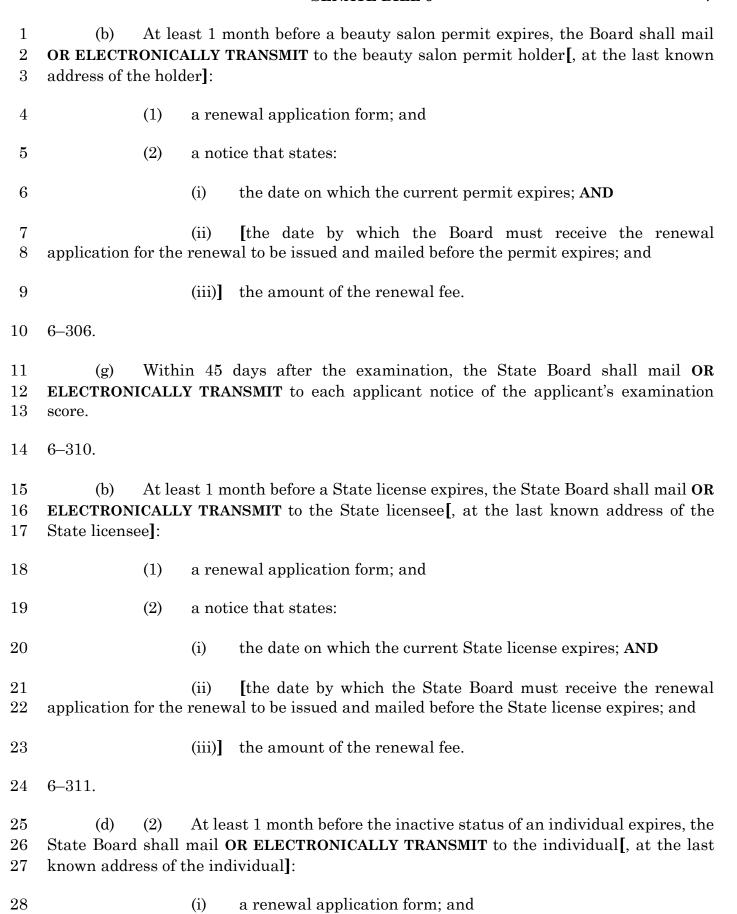
1 2 3 4 5	BY repealing and reenacting, with amendments, Article – Public Safety Section 12–833(b) Annotated Code of Maryland (2011 Replacement Volume and 2016 Supplement)
6 7	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:
8	Article - Business Occupations and Professions
9	2–305.
10 11	(f) (1) The Board shall mail OR ELECTRONICALLY TRANSMIT to each applicant notice of the applicant's examination score.
12 13 14	(2) Any applicant who requests an appointment within 60 days after the date on which the notice is mailed OR ELECTRONICALLY TRANSMITTED may review the applicant's answers to the examination.
15 16 17 18	(g) (1) If the Board uses the services of the American Institute of Certified Public Accountants to grade an examination, the Board may [send] MAIL OR ELECTRONICALLY TRANSMIT the examination answers to the Institute [by electronic transmission, by mail, or by a private delivery service].
19	2–309.
20 21	(a) If an applicant qualifies for a license under this subtitle, the Board shall [send] MAIL OR ELECTRONICALLY TRANSMIT TO the applicant a notice that states that:
22	(1) the applicant has qualified for a license; and
23 24	(2) on receipt of a license fee set by the Board, the Board will issue a license to the applicant.
25	2–311.
26 27	(b) At least 1 month before a license expires, the Board shall mail OR 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

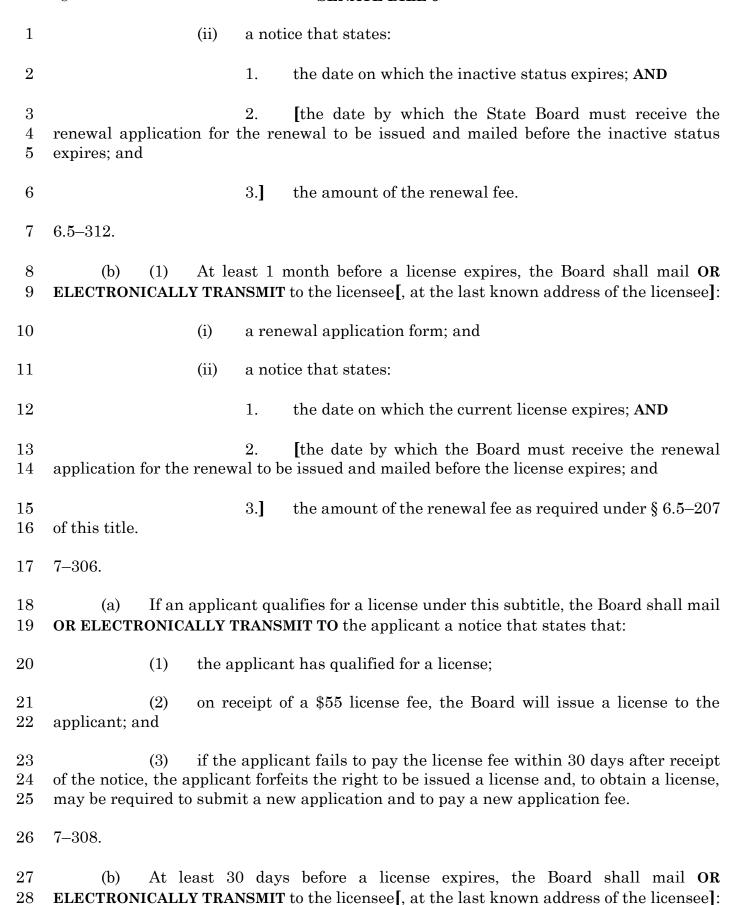












1	(1)	a ren	ewal application form; and
2	(2)	a not	ice that states:
3		(i)	the date on which the current license expires; AND
4 5	application for t	(ii) the renew	[the date by which the Board must receive the renewal al to be issued and mailed before the license expires; and
6		(iii)]	the amount of the renewal fee.
7	8–307.		
8 9 10		LLY TRA	days before the certificate expires, the Board shall mail OR NSMIT to the certificate holder[, at the last known address of the
11	(1)	a ren	ewal application form;
12	(2)	a not	ce that states[:
13		(i)]	the date on which the current certificate expires; and
14 15	for the renewal	[(ii) to be issu	the date by which the Board must receive the renewal application led and mailed before the certificate expires; and]
16	(3)	the a	mount of the certificate fee.
17	9–309.		
18 19			month before a license expires, the Board shall mail OR NSMIT to the licensee [, at the last known address of the licensee]:
20	(1)	a ren	ewal application form; and
21	(2)	a not	ice that states:
22		(i)	the date on which the current license expires; AND
23 24	application for t	(ii) the renew	[the date by which the Board must receive the renewal ral to be issued and mailed before the license expires; and
25		(iii)]	the amount of the license fee.
26	9–408.		

1 2 3	(b) At least 1 month before a permit expires, the Board shall mail OR ELECTRONICALLY TRANSMIT to the permit holder[, at the last known address of the holder]:
4	(1) a renewal application form; and
5	(2) a notice that states:
6	(i) the date on which the current permit expires; AND
7 8	(ii) [the date by which the Board must receive the renewal application for the renewal to be issued and mailed before the permit expires; and
9	(iii)] the amount of the permit fee.
10	11–408.
11 12	(b) At least 1 month before a license expires, the Board shall mail OR 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 17	(ii) [the date by which the Board must receive the renewal application for the renewal to be issued and mailed before the license expires; and
18	(iii)] the amount of the renewal fee.
19	12–308.
20 21	(b) At least 1 month before a license expires, the Board shall mail OR ELECTRONICALLY TRANSMIT to the licensee[, at the last known address of the licensee]:
22	(1) a renewal application form; and
23	(2) a notice that states:
24	(i) the date on which the current license expires; AND
25 26	(ii) [the date by which the Board must receive the renewal application for the renewal to be issued and mailed before the license expires; and
27	(iii)] the amount of the renewal fee.

1	13–308.
2 3	(c) At least 1 month before a license expires, the Secretary shall mail OR ELECTRONICALLY TRANSMIT to the licensee[, at the last known address of the licensee]:
4	(1) a renewal application form; and
5	(2) a notice that states:
6	(i) the date on which the current license expires;
7 8 9	(ii) [that the Secretary must receive the renewal application and the statements required under § 13–309 of this subtitle, at least 15 days before the license expiration date, for the renewal to be issued and mailed before the license expires;
10	(iii)] the amount of the renewal fee;
11 12 13	[(iv)] (III) that, if the statements required under § 13–309 of this subtitle are not received at least 15 days before the license expiration date, a fee of \$10 per day shall be charged against the licensee until the statements are received; and
14 15	[(v)] (IV) that the submission of a false statement in the renewal application or in the annual statements is cause for revocation of the license.
16	14–314.
17 18	(b) (1) At least 1 month before a license expires, the Board shall mail OR ELECTRONICALLY TRANSMIT to the licensee [, at the last known address of the licensee]:
19	(i) a renewal application form; and
20	(ii) a notice that states:
21	1. the date on which the current license expires; AND
22 23	2. [the date by which the Board must receive the renewal application for the renewal to be issued and mailed before the license expires; and
24	3.] the amount of the license fee.
25	14–407.
26 27	(b) At least 1 month before a permit expires, the Board shall mail OR ELECTRONICALLY TRANSMIT to the permit holder[, at the last known address of the

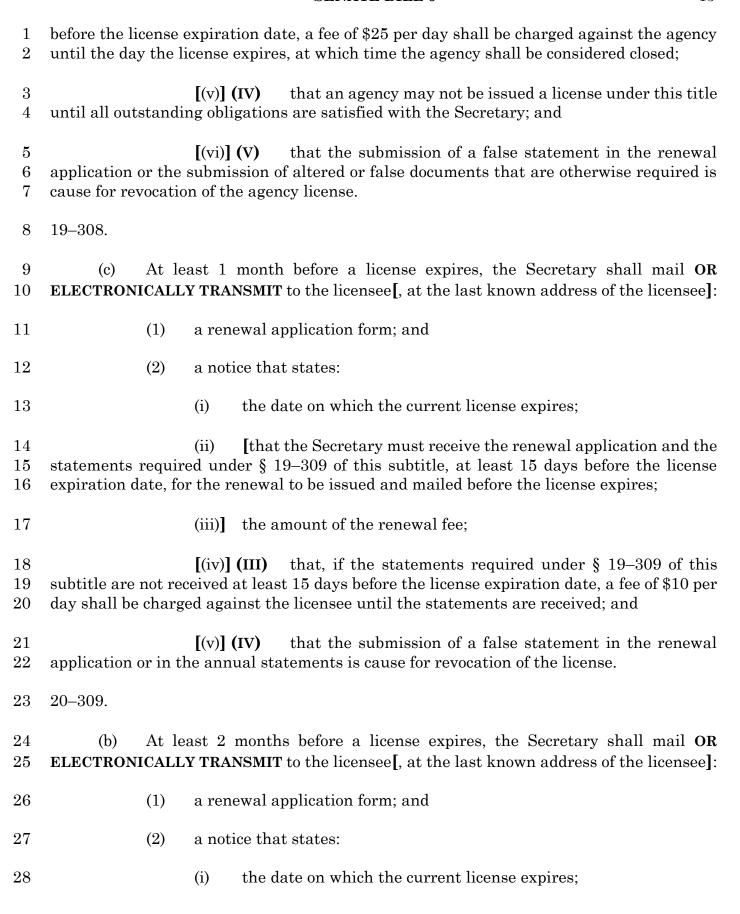
holder]:

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1	(1)	a ren	ewal application form; and
2	(2)	a not	ice that states:
3		(i)	the date on which the current permit expires; AND
4 5	application for the	(ii) renew	[the date by which the Board must receive the renewal ral to be issued and mailed before the permit expires; and
6		(iii)]	the amount of the permit fee.
7	15–314.		
8 9	(b) (1) ELECTRONICALL		ast 1 month before a license expires, the Board shall mail OR NSMIT to the licensee[, at the last known address of the licensee]:
10		(i)	a renewal application form; and
11		(ii)	a notice that states:
12			1. the date on which the current license expires; AND
13 14	application for the	renew	2. [the date by which the Board must receive the renewal ral to be issued and mailed before the license expires; and
15			3.] the amount of the license fee.
16	15–406.		
17 18 19			month before a permit expires, the Board shall mail OR NSMIT to the permit holder[, at the last known address of the
20	(1)	a ren	ewal application form; and
21	(2)	a not	ice that states:
22		(i)	the date on which the current permit expires; AND
23 24	application for the	(ii) renew	[the date by which the Board must receive the renewal ral to be issued and mailed before the permit expires; and
25		(iii)]	the amount of the permit fee.
26	16–308.		

1 2 3	(b) OR ELECTI licensee]:			onth before the license expires, the Commission shall [send] MAIL TRANSMIT to the licensee[, at the last known address of the
4		(1)	a ren	ewal application form; and
5		(2)	a noti	ice that states:
6			(i)	the date on which the current license expires; AND
7 8	application	for the	(ii) renew	[the date by which the Commission must receive the renewal ral to be issued and mailed before the license expires; and
9			(iii)]	the amount of the renewal fee.
10	16–3A–07.			
11 12	(b) ELECTRON			month before a license expires, the Commission shall mail OR NSMIT to the licensee[, at the last known address of the licensee]:
13		(1)	a ren	ewal application form; and
14		(2)	a noti	ice 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 19 20	(b) the Commis known addr		hall ma	ast 1 month before a real estate appraiser trainee license expires, ail OR ELECTRONICALLY TRANSMIT to the licensee[, at the last ensee]:
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 25	renewal app	olicatio	on for t	2. [the date by which the Commission must receive the he renewal to be issued and mailed before the license expires; and
26				3.] the amount of the renewal fee.

1	17–314.
2 3 4	(d) (1) At least 1 month before a license expires, the Commission shall mail OR ELECTRONICALLY TRANSMIT to the licensee, as provided in paragraph (2) of this subsection:
5	(i) a renewal application form; and
6	(ii) a notice that states:
7	1. the date on which the current license expires; AND
8 9	2. [the date by which the Commission must receive the renewal application for the renewal to be issued and mailed before the license expires; and
10	3.] the amount of the renewal fee.
11 12 13	(2) (i) If the licensee is a real estate broker, the Commission shall mail OR ELECTRONICALLY TRANSMIT the renewal application form and notice to the principal office of the broker.
14 15 16 17	(ii) If the licensee is an associate real estate broker or a real estate salesperson, the Commission shall mail OR ELECTRONICALLY TRANSMIT the renewal application form and notice to the principal office of the real estate broker with whom the licensee is affiliated.
18	18–307.
19 20	(c) At least 1 month before a license expires, the Secretary shall mail OR ELECTRONICALLY TRANSMIT to the agency[, at the last known address of the agency]:
21	(1) a renewal application form; and
22	(2) a notice that states:
23	(i) the date on which the current license expires;
24 25 26 27	(ii) [that the Secretary must receive the renewal application and proof of insurance or bonding as required in § 18–401 of this title at least 15 days before the license expiration date for the renewal to be issued and mailed before the license expires;
28	(iii)] the amount of the renewal fee;
29 30	[(iv)] (III) that, if the complete renewal application and proof of insurance or bonding as required in § 18–401 of this title are not received at least 15 days



1 2 3	(ii) [that the Secretary must receive the renewal application at least 21 days before the license expiration date, for the renewal to be issued and mailed before the current license expires;
4	(iii)] the amount of the renewal fee; and
5 6	[(iv)] (III) that the submission of a false statement in the renewal application or in the annual statements is cause for revocation of the license.
7	21–306.
8 9	(a) If an applicant qualifies for a registration under this subtitle, the Board shall [send] MAIL OR ELECTRONICALLY TRANSMIT TO the applicant a notice that states that:
10	(1) the applicant has qualified for a registration; and
11 12	(2) on receipt of a registration fee set by the Board, the Board will issue a registration to the applicant.
13	21–308.
14 15 16	(b) At least 1 month before a registration expires, the Board shall mail OR ELECTRONICALLY TRANSMIT to the individual [, at the last known address 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 21	(ii) [the date by which the Board must receive the renewal 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 26 27	(b) At least 90 days before a registration or permit expires, the Director shall mail OR ELECTRONICALLY TRANSMIT to the registrant or permit holder[, at the last known 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 4 5	(ii) [the date by which the Director must receive the renewal application for the renewal to be issued and mailed before the registration or permit 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 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 14	(ii) [the date by which the Commission must receive the renewal 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 18 19	(c) The Board shall [send] MAIL OR ELECTRONICALLY TRANSMIT written notice of the date, hour, and place of examination to each applicant for a license who is required to pass the examination.
20	12–207.
21 22	(b) At least 1 month before a license expires, the Secretary shall mail OR 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 27	(ii) [the date by which the Secretary must receive the renewal 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 ELECTRONICALLY TRANSMIT to the licensee[, at the last known address of the licensee]:
5	(1) a renewal application form;
6 7	(2) a form that allows a licensee to update the information submitted in the original application or state that the information is current and accurate;
8 9 10	(3) except as provided in subsection (e) of this section, a form that requires the licensee to agree to continue to comply with each requirement applicable to the original application; and
1	(4) a notice that states:
12	(i) the date on which the current license expires; AND
13 14	(ii) [the date by which the Secretary must receive the renewal application for the renewal to be issued and mailed before the license expires; and
5	(iii)] the amount of the renewal fee.
6	Article - Public Safety
17	12–833.
18	(b) At least 1 month before a license expires, the Board shall mail OR 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 24	(ii) [the date by which the Board must receive the renewal application for the renewal to be issued and mailed before the license expires; and
25	(iii)] the amount of the renewal fee.
26 27	SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2017.