

Chapter 634

(House Bill 335)

AN ACT concerning

Montgomery County – Alcoholic Beverages Licenses – Fee Refunds

MC 28–19

FOR the purpose of establishing that a holder of an alcoholic beverages license in Montgomery County is entitled to a refund of the unearned portion of a license fee if the holder voluntarily surrenders the license at least a certain amount of time before the license expiration date; and generally relating to alcoholic beverages licenses in Montgomery County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 25–102
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 25–1401
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

BY adding to
Article – Alcoholic Beverages
Section 25–1411
Annotated Code of Maryland
(2016 Volume and 2018 Supplement)

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

Article – Alcoholic Beverages

25–102.

This title applies only in Montgomery County.

25–1401.

(a) The following sections of Title 4, Subtitle 1 (“Applications for Local Licenses”) of Division I of this article apply in the county without exception or variation:

- (1) § 4–102 (“Applications to be filed with local licensing board”);
- (2) § 4–106 (“Payment of notice expenses”);
- (3) § 4–108 (“Application form required by Comptroller”);
- (4) § 4–112 (“Disposition of license fees”); **AND**
- [(5) § 4–113 (“Refund of license fees”); and]**
- [(6) (5) § 4–114 (“Fees for licenses issued for less than 1 year”).**

(b) The following sections of Title 4, Subtitle 1 (“Applications for Local Licenses”) of Division I of this article do not apply in the county:

- (1) § 4–103 (“Application on behalf of partnership”), which is superseded by § 25–1404 of this subtitle;
 - (2) § 4–104 (“Application on behalf of corporation or club”), which is superseded by § 25–1405 of this subtitle;
 - (3) § 4–105 (“Application on behalf of limited liability company”), which is superseded by § 25–1406 of this subtitle;
 - (4) § 4–110 (“Required information on application — Petition of support”);
- and
- (5) § 4–111 (“Payment of license fees”), which is superseded by § 25–1410 of this subtitle.

(c) The following sections of Title 4, Subtitle 1 (“Applications for Local Licenses”) of Division I of this article apply in the county:

- (1) § 4–107 (“Criminal history records check”), subject to §§ 25–1402 and 25–1403 of this subtitle; **[and]**
- (2) § 4–109 (“Required information on application — In general”), subject to § 25–1408 of this subtitle and § 22–1409 of this article; **AND**
- (3) § 4–113 (“REFUND OF LICENSE FEES”), SUBJECT TO § 25–1411 OF THIS SUBTITLE.**

25–1411.

IF A LICENSE HOLDER VOLUNTARILY SURRENDERS THE LICENSE AT LEAST 6 MONTHS BEFORE THE LICENSE EXPIRATION DATE, THE LICENSE HOLDER IS ENTITLED TO A REFUND OF THE UNEARNED PORTION OF THE LICENSE FEE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2019.

Enacted under Article II, § 17(c) of the Maryland Constitution, May 25, 2019.