

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL NO. 1035

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 10 and 11, strike “requiring certain renewals for registrations” and substitute “altering renewal requirements for sellers of business opportunities”; in line 16, after “reports;” insert “altering certain requirements relating to the provision of a certain disclosure document by a seller to a prospective buyer;”; in line 23, strike “14-118” and substitute “14-119”; and in line 28, strike “14-119,”.

On page 2, in line 2, strike “and 14-113” and substitute “, 14-113, and 14-118”; and in line 7, strike “14-119.1” and substitute “14-119”.

AMENDMENT NO. 2

On page 2, in line 16, after “which” insert “:

(1)”;

in line 35, after “BUSINESS” strike the comma and substitute “:

(2) THE BUYER IS REQUIRED TO PAY THE SELLER OR A PERSON RECOMMENDED OR REFERRED BY THE SELLER \$300 OR MORE DURING THE PERIOD BEGINNING ANY TIME BEFORE COMMENCING OPERATIONS AND ENDING 6 MONTHS AFTER COMMENCING OPERATIONS OF THE BUSINESS;”;

in the same line, after “AND” insert:

“(3)”;

and in line 37, strike “1.” and substitute “(I)”.

(Over)

On page 3, in lines 4, 7, 10, 13, and 17, strike “2.”, “3.”, “4.”, “5.”, and “6.”, respectively, and substitute “(II)”, “(III)”, “(IV)”, “(V)”, and “(VI)”, respectively.

On page 5, in line 14, after “registered” insert “OR EXEMPT FROM REGISTRATION”; in line 24, after the semicolon insert “OR”; and strike beginning with “AN” in line 25 down through “(7)” in line 30.

On page 7, in lines 23 and 24, strike “UNLESS THE PERSON SUBJECT TO THE CEASE AND DESIST ORDER WAIVES THE RIGHT TO A HEARING,”; in line 35, after “(B)” insert “(1)”; and after line 36, insert:

“(2) IF A PERSON SUBJECT TO A CEASE AND DESIST ORDER WAIVES THE RIGHT TO A HEARING, THE COMMISSIONER IS NOT REQUIRED TO HOLD A HEARING TO TAKE ANY ACTION UNDER SUBSECTION (A)(3) OF THIS SECTION.”

AMENDMENT NO. 3

On page 9, in lines 26 and 27, strike “§ 14-114(B)” and substitute “§ 14-114”.

On pages 10 and 11, strike beginning with “(1)” in line 37 on page 10 through “(H)” in line 4 on page 11.

On page 11, in line 6, strike “(I)” and substitute “(H)”.

On page 15, strike in their entirety lines 18 through 22, inclusive, and substitute:

“(A) UNLESS THE REGISTRATION OF A BUSINESS OPPORTUNITY IS RENEWED FOR A 1-YEAR TERM AS PROVIDED IN THIS SECTION, THE REGISTRATION EXPIRES ON THE FIRST ANNIVERSARY OF ITS EFFECTIVE DATE.

“(B) BEFORE THE REGISTRATION EXPIRES, THE REGISTRANT PERIODICALLY MAY RENEW IT FOR AN ADDITIONAL 1-YEAR TERM, IF THE REGISTRANT:

(1) FILES WITH THE COMMISSIONER:

(I) A RENEWAL APPLICATION ON THE FORM THAT THE COMMISSIONER PROVIDES;

(II) A CURRENT DISCLOSURE DOCUMENT ALONG WITH ANY OTHER DOCUMENTS OR INFORMATION THAT THE COMMISSIONER MAY REQUIRE BY ORDER OR REGULATION; AND

(III) PROOF THAT THE SELLER HAS SATISFIED THE BOND AND TRUST ACCOUNT REQUIREMENTS UNDER § 14-115 OF THIS SUBTITLE; AND

(2) PAYS A RENEWAL FEE OF \$100.

(C) THE COMMISSIONER SHALL RENEW THE REGISTRATION OF A BUSINESS OPPORTUNITY IF THE REGISTRANT COMPLIES WITH THE REQUIREMENTS OF THIS SECTION.”.

On page 15, strike in their entirety lines 23 through 31, inclusive, and substitute “14-118.”.

On page 16, in line 9, strike “14-119.1.” and substitute “14-119.”.