

---

**By: Delegates McClenahan and Donoghue**

Introduced and read first time: January 20, 1997

Assigned to: Economic Matters

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Business Occupations - Security Guard Agencies**

3 FOR the purpose of altering the schedule for security guard license renewal and  
4 expiration; requiring the Secretary of the Department of State Police to adopt  
5 regulations regarding the expiration months of certain licenses; adjusting certain  
6 license renewal fees to correspond with the augmented license terms; adjusting the  
7 time period for which an applicant for license renewal must submit certain  
8 information to the Secretary of the Department of State Police; and generally  
9 relating to the licensing and regulation of security guard agencies.

10 BY repealing and reenacting, with amendments,  
11 Article - Business Occupations and Professions  
12 Section 19-308 and 19-309  
13 Annotated Code of Maryland  
14 (1995 Replacement Volume and 1996 Supplement)

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

17 **Article - Business Occupations and Professions**

18 19-308.

19 (a) Unless a license is renewed for a [1-year] 2-YEAR term as provided in this  
20 section, the license expires on the [first April 30 after the effective date of the license]  
21 FIFTEENTH DAY OF THE EXPIRATION MONTH DESIGNATED BY REGULATIONS  
22 ADOPTED BY THE SECRETARY.

23 (b) At least 1 month before a license expires, the Secretary shall mail to the  
24 licensee, at the last known address of the licensee:

25 (1) a renewal application form; and

26 (2) a notice that states:

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

28 (ii) that the Secretary must receive the renewal application and the  
29 annual statements required under § 19-309 of this subtitle, on or before [April 15] THE

2

1 FIFTEENTH DAY OF THE EXPIRATION MONTH, for the renewal to be issued and mailed  
2 before the license expires;

3 (iii) the amount of the renewal fee;

4 (iv) that, if the annual statements are not received on or before [April  
5 15] THE FIFTEENTH DAY OF THE EXPIRATION MONTH, a fee of \$10 per day shall be  
6 charged against the licensee until the statements are received; and

7 (v) that the submission of a false statement in the renewal application  
8 or in the annual statements is cause for revocation of the license.

9 (c) A licensee periodically may renew the license for an additional [ 1-year]  
10 2-YEAR term, if the licensee:

11 (1) otherwise is entitled to be licensed;

12 (2) pays to the Secretary:

13 (i) a renewal fee of:

14 1. [\$100] \$200, if the licensee is an individual; or

15 2. [\$200] \$400, if the licensee is a firm; and

16 (ii) any late fee required under § 19-309 of this subtitle; and

17 (3) submits to the Secretary:

18 (i) a renewal application on the form that the Secretary provides; and

19 (ii) the [annual] 2-YEAR statements required under § 19-309 of this  
20 subtitle.

21 (d) The Secretary shall renew the license of each licensee who meets the  
22 requirements of this section.

23 19-309.

24 (a) As a condition for license renewal, a licensee shall submit to the Secretary  
25 with the renewal application:

26 (1) a certification or, as authorized by the Secretary, other documentation  
27 that the licensed security guard agency has paid, for the past [calendar year] 2 YEARS,  
28 all withholding and Social Security taxes;

29 (2) a certification or, as authorized by the Secretary, other documentation  
30 that the licensed security guard agency has paid, for the past [calendar year] 2 YEARS,  
31 all other obligations payable for the employees of the licensed security guard agency to  
32 the State or the federal government;

33 (3) a certificate from an insurance carrier or, as authorized by the Secretary,  
34 other documentation showing that the licensed security guard agency has in effect  
35 workers' compensation insurance for its covered employees, as defined in § 9-101 of the  
36 Labor and Employment Article; and

3

1                   (4) a receipt from the Comptroller's Office or, as authorized by the  
2 Secretary, other documentation showing that the State income tax of the licensed security  
3 guard agency has been paid for the past [calendar year] 2 YEARS.

4                   (b) If the Secretary does not receive the documents required under subsection (a)  
5 of this section on or before [April 15] THE FIFTEENTH DAY OF THE EXPIRATION  
6 MONTH, the Secretary shall charge the licensee a late fee of \$10 per day until the  
7 documents are received.

8                   (c) The Secretary may inspect any of the business records of a licensee that relate  
9 to any matter that is subject to certification or documentation under this section.

10                  SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
11 October 1, 1997.