
By: Delegates McClenahan and Donoghue

Introduced and read first time: January 20, 1997

Assigned to: Economic Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 26, 1997

CHAPTER ____

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~~ altering the terms
6 and renewal of certain security guard agency licenses; requiring the Secretary of the
7 Department of State Police to stagger the terms of certain security guard agency
8 licenses by regulation; adjusting certain license renewal fees to correspond with the
9 ~~augmented~~ altered license terms; adjusting the time period for which an applicant
10 for license renewal must submit certain information to the Secretary of the
11 Department of State Police; and generally relating to the licensing and regulation of
12 security guard agencies.

13 BY repealing and reenacting, with amendments,

14 Article - Business Occupations and Professions

15 Section 19-308 and 19-309

16 Annotated Code of Maryland

17 (1995 Replacement Volume and 1996 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

19 MARYLAND, That the Laws of Maryland read as follows:

20 **Article - Business Occupations and Professions**

21 19-308.

22 (A) BY REGULATION, THE SECRETARY SHALL STAGGER THE TERMS OF THE
23 LICENSES.

2

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

5 ~~(b)~~ (C) At least 1 month before a license expires, the Secretary shall mail to the
 6 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;

10 (ii) that the Secretary must receive the renewal application and the
 11 ~~annual~~ statements required under § 19-309 of this subtitle, ~~on or before [April 15] THE~~
 12 ~~FIFTEENTH DAY OF THE EXPIRATION MONTH~~ AT LEAST 15 DAYS BEFORE THE
 13 LICENSE EXPIRATION DATE, for the renewal to be issued and mailed before the license
 14 expires;

15 (iii) the amount of the renewal fee;

16 (iv) that, if the ~~annual statements~~ STATEMENTS REQUIRED UNDER §
 17 19-309 OF THIS SUBTITLE are not received ~~on or before [April 15] THE FIFTEENTH DAY~~
 18 ~~OF THE EXPIRATION MONTH~~ AT LEAST 15 DAYS BEFORE THE LICENSE EXPIRATION
 19 DATE, a fee of \$10 per day shall be charged against the licensee until the statements are
 20 received; and

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

23 ~~(c)~~ (D) A licensee periodically may renew the license for an additional [1-year]
 24 2-YEAR term, if the licensee:

25 (1) otherwise is entitled to be licensed;

26 (2) pays to the Secretary:

27 (i) a renewal fee of:

28 1. [~~\$100~~] \$200, if the licensee is an individual; or

29 2. [~~\$200~~] \$400, if the licensee is a firm; and

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

31 (3) submits to the Secretary:

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

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

35 ~~(d)~~ (E) The Secretary shall renew the license of each licensee who meets the
 36 requirements of this section.

3

1 19-309.

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

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

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

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

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

18 (b) If the Secretary does not receive the documents required under subsection (a)
19 of this section ~~on or before [April 15] THE FIFTEENTH DAY OF THE EXPIRATION~~
20 ~~MONTH AT LEAST 15 DAYS BEFORE THE LICENSE EXPIRATION DATE~~, the Secretary
21 shall charge the licensee a late fee of \$10 per day until the documents are received.

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

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