

HOUSE BILL 95

Unofficial Copy
P3

2000 Regular Session
0lr0003

(PRE-FILED)

By: **Chairman, Economic Matters Committee (Departmental - Comptroller)**

Requested: November 15, 1999

Introduced and read first time: January 12, 2000

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Comptroller - Issuance of Cigarette Licenses**

3 FOR the purpose of requiring the Comptroller to investigate applications for certain
4 licenses issued by the Comptroller; requiring that certain licenses be denied
5 under certain circumstances; and generally relating to the powers of the
6 Comptroller to issue business licenses.

7 BY repealing and reenacting, with amendments,
8 Article - Business Regulation
9 Section 16-205
10 Annotated Code of Maryland
11 (1998 Replacement Volume and 1999 Supplement)

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

14 **Article - Business Regulation**

15 16-205.

16 (a) [The] SUBJECT TO SUBSECTION (B) OF THIS SECTION, THE Comptroller
17 shall issue an appropriate license to each applicant who meets the requirements of
18 this subtitle for a license to act as a manufacturer, storage warehouse, subwholesaler,
19 vending machine operator, or wholesaler.

20 (B) (1) PRIOR TO THE ISSUANCE OF ANY LICENSE, THE COMPTROLLER
21 SHALL CONDUCT AN INVESTIGATION WITH REGARD TO:

22 (I) THE APPLICANT;

23 (II) THE BUSINESS TO BE OPERATED; AND

24 (III) THE FACTS AS SET FORTH IN THE APPLICATION.

1 (2) THE COMPTROLLER SHALL DENY A LICENSE OR RENEWAL OF A
2 LICENSE IF THE COMPTROLLER IS OF THE OPINION THAT:

3 (I) THE APPLICANT IS NOT A FIT PERSON TO RECEIVE THE
4 LICENSE APPLIED FOR;

5 (II) THE APPLICANT HAS MADE A MATERIAL FALSE STATEMENT IN
6 THE APPLICATION;

7 (III) THE APPLICANT HAS PRACTICED FRAUD IN CONNECTION WITH
8 THE APPLICATION; OR

9 (IV) THERE ARE OTHER REASONS, IN THE DISCRETION OF THE
10 COMPTROLLER, WHY THE LICENSE SHOULD NOT BE ISSUED.

11 [(b)] (C) The clerk shall issue to each applicant who meets the requirements of
12 this subtitle a license to act as a retailer.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 2000.