

SENATE BILL 11

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2001 Regular Session  
1r0363

(PRE-FILED)

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By: **Senator Teitelbaum**  
Requested: August 3, 2000  
Introduced and read first time: January 10, 2001  
Assigned to: Finance

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A BILL ENTITLED

1 AN ACT concerning

2                                   **Trader's Licenses - Exception for Exhibitors at Antique, Coin, or Collector**  
3                                   **Shows**

4 FOR the purpose of establishing an exception from the trader's license requirement  
5 for certain exhibitors at antique, coin, or collector shows under certain  
6 circumstances; and generally relating to trader's licenses.

7 BY repealing and reenacting, with amendments,  
8 Article - Business Regulation  
9 Section 17-1804  
10 Annotated Code of Maryland  
11 (1998 Replacement Volume and 2000 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 17-1804.

16 (a) Except as otherwise provided in this subtitle, a person must have a  
17 trader's license whenever the person:

18 (1) does business as a trader in the State; or

19 (2) does business as an exhibitor in the State.

20 (b) A separate trader's license is required for each store or fixed place of  
21 business that a person operates in the State.

22 (c) This section does not apply to:

23 (1) a grower, maker, or manufacturer of goods;

1 (2) a nonresident traveling salesperson, sample merchant, or  
2 representative of a foreign mercantile or manufacturing business while selling to or  
3 soliciting an order from a licensed trader in the State; or

4 (3) a private individual while publicly selling the individual's personal  
5 effects on the individual's property, if the individual holds only 1 sale not exceeding 14  
6 consecutive days in a calendar year.

7 (d) (1) An exhibitor need not get a trader's license for a show if[:

8 (i)] the show is promoted by:

9 [1.] (I) a church, as defined in § 5-301(b) of the  
10 Corporations and Associations Article;

11 [2.] (II) a governmental unit;

12 [3.] (III) an amateur radio organization;

13 [4.] (IV) an antique vehicle, machine, and equipment  
14 organization;

15 [5.] (V) a volunteer fire department or rescue squad; or

16 [6.] (VI) a model train collectors' association. [; or

17 (ii)] (2) AN EXHIBITOR NEED NOT GET A TRADER'S LICENSE FOR A  
18 SHOW if the exhibitor gives to the promoter an exhibitor's affidavit stating that the  
19 exhibitor:

20 [1.] (I) gets less than 10% of the exhibitor's annual income  
21 from selling the kind of goods that the exhibitor will display and sell at the show; and

22 [2.] (II) has not participated in more than 3 shows during the  
23 previous 365 days.

24 (3) AN EXHIBITOR AT AN ANTIQUE SHOW, COIN SHOW, OR COLLECTOR  
25 SHOW NEED NOT GET A TRADER'S LICENSE FOR THE SHOW IF THE EXHIBITOR GIVES  
26 TO THE PROMOTER AN EXHIBITOR'S AFFIDAVIT STATING THAT THE EXHIBITOR:

27 (I) WILL DISPLAY AND SELL AT THE SHOW;

28 (II) RECEIVES LESS THAN 10% OF THE EXHIBITOR'S ANNUAL  
29 INCOME IN THE STATE FROM SELLING THE KIND OF GOODS THAT THE EXHIBITOR  
30 WILL DISPLAY AND SELL AT THE SHOW; AND

31 (III) HAS NOT PARTICIPATED IN MORE THAN 3 ANTIQUE SHOWS,  
32 COIN SHOWS, OR COLLECTOR SHOWS IN THE STATE DURING THE PREVIOUS 365  
33 DAYS.

1            [(2)]    (4)        An exhibitor who has a trader's license need not get an  
2 additional trader's license for a show if, before the show, the exhibitor gives the  
3 promoter a photocopy of the trader's license.

4        SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
5 October 1, 2001.