
By: **Montgomery County Delegation**

Introduced and read first time: February 10, 2006

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Montgomery County - Alcoholic Beverages - Issuance of License After**
3 **Revocation**
4 **MC 603-06**

5 FOR the purpose of authorizing the Montgomery County Board of License
6 Commissioners, after an alcoholic beverages license for a premises has been
7 revoked, to issue a license for the same premises to a person other than the
8 former licensee in the same manner as the Board considers an application for a
9 new license; and generally relating to alcoholic beverages licenses in
10 Montgomery County.

11 BY repealing and reenacting, with amendments,
12 Article 2B - Alcoholic Beverages
13 Section 10-404
14 Annotated Code of Maryland
15 (2005 Replacement Volume)

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

18 **Article 2B - Alcoholic Beverages**

19 10-404.

20 (a) [When] EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, WHEN the
21 license issued under the provisions of this article has been revoked, such licensee
22 shall not at any time thereafter be entitled to obtain any other license under the
23 provisions of this article, and no other person shall be entitled to obtain such a license
24 for the same premises until after the expiration of six months from the date of such
25 revocation and not at all in the discretion of said Comptroller, board of license
26 commissioners for the city or county, court or State Appeal Board as the case may be.
27 If the license was held on behalf of a corporation, partnership, or unincorporated
28 association, no person until after the expiration of said six-month period shall be
29 entitled to obtain another license on behalf of such corporation, partnership, or

1 unincorporated association, for the sale of alcoholic beverages upon the same
2 premises.

3 (b) In Allegany County if a license is revoked by reason of the licensee being
4 convicted of violating any provisions of the Tax - General Article that relate to the
5 alcoholic beverage tax or any provision of this article, no license under this article
6 may be issued to the same person or for the same premises within a period of one year
7 thereafter.

8 (c) In Garrett County if a license is revoked by reason of the licensee being
9 convicted of violating any provisions of the Tax - General Article that relate to the
10 alcoholic beverage tax or any provision of this article, no license under this article
11 may be issued to the same person or for the same premises within a period of two
12 years thereafter.

13 (D) IN MONTGOMERY COUNTY IF A LICENSE IS REVOKED, THE BOARD OF
14 LICENSE COMMISSIONERS MAY ISSUE A LICENSE FOR THE SAME PREMISES TO A
15 PERSON OTHER THAN THE FORMER LICENSEE IN THE SAME MANNER AS THE BOARD
16 CONSIDERS AN APPLICATION FOR A NEW LICENSE.

17 [(d)] (E) In Wicomico County if a license is revoked by reason of the licensee
18 being convicted of violating any provisions of the Tax - General Article that relate to
19 the alcoholic beverage tax or any provision of this article, no license under this article
20 may be issued to the same person within a period of 1 year thereafter. No other
21 persons shall be entitled to obtain such a license for the same premises until after
22 expiration of 6 months from the date of such revocation.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 June 1, 2006.