
By: **Montgomery County Delegation**

Introduced and read first time: February 10, 2006

Assigned to: Economic Matters

Committee Report: Favorable

House action: Adopted

Read second time: March 24, 2006

CHAPTER _____

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 21 license issued under the provisions of this article has been revoked, such licensee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

1 provisions of this article, and no other person shall be entitled to obtain such a license
2 for the same premises until after the expiration of six months from the date of such
3 revocation and not at all in the discretion of said Comptroller, board of license
4 commissioners for the city or county, court or State Appeal Board as the case may be.
5 If the license was held on behalf of a corporation, partnership, or unincorporated
6 association, no person until after the expiration of said six-month period shall be
7 entitled to obtain another license on behalf of such corporation, partnership, or
8 unincorporated association, for the sale of alcoholic beverages upon the same
9 premises.

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

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

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

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

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