

SENATE BILL 188

C2

8lr0134

By: **Chair, Finance Committee (By Request – Departmental – Comptroller)**

Introduced and read first time: January 18, 2008

Rules suspended

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Comptroller – Cigarette Business Licenses – Grounds for Disciplinary Action**

3 FOR the purpose of clarifying that applicants for cigarette business licenses and
4 licensees must buy cigarettes for resale from a licensed cigarette manufacturer
5 in order to be in compliance with certain provisions of law and not be subject to
6 certain disciplinary action by the Comptroller; and generally relating to the
7 regulation of cigarette business licenses in the State.

8 BY repealing and reenacting, with amendments,
9 Article – Business Regulation
10 Section 16–210(a)
11 Annotated Code of Maryland
12 (2004 Replacement Volume and 2007 Supplement)

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

15 **Article – Business Regulation**

16 16–210.

17 (a) Subject to the hearing provisions of § 16–211 of this subtitle, the
18 Comptroller may deny a license to an applicant, reprimand a licensee, or suspend or
19 revoke a license if the applicant or licensee:

20 (1) fraudulently or deceptively obtains or attempts to obtain a license
21 for the applicant or licensee or for another person;

22 (2) fraudulently or deceptively uses a license;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (3) fails to comply with the Maryland Cigarette Sales Below Cost Act
2 or regulations adopted under that Act;

3 (4) fails to comply with the provisions of Title 11, Subtitle 5A of the
4 Commercial Law Article;

5 (5) buys cigarettes for resale:

6 (i) in violation of a license; or

7 (ii) from a person who is not a **LICENSED** cigarette
8 manufacturer, licensed subwholesaler, licensed vending machine operator, or licensed
9 wholesaler;

10 (6) is convicted, under the laws of the United States or of any other
11 state, of:

12 (i) a felony; or

13 (ii) a misdemeanor that is a crime of moral turpitude and is
14 directly related to the fitness and qualification of the applicant or licensee; or

15 (7) has not paid a tax due before October 1 of the year after the tax
16 became due.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 October 1, 2008.