

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

Committee Report: Favorable

Senate action: Adopted

Read second time: February 13, 2008

CHAPTER _____

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:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

3 (2) fraudulently or deceptively uses a license;

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

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

8 (5) buys cigarettes for resale:

9 (i) in violation of a license; or

10 (ii) from a person who is not a **LICENSED** cigarette
11 manufacturer, licensed subwholesaler, licensed vending machine operator, or licensed
12 wholesaler;

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

15 (i) a felony; or

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

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

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.