

CHAPTER 568

(Senate Bill 188)

AN ACT concerning

Comptroller – Cigarette Business Licenses – Grounds for Disciplinary Action

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

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

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

Article – Business Regulation

16–210.

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

- (1) fraudulently or deceptively obtains or attempts to obtain a license for the applicant or licensee or for another person;
- (2) fraudulently or deceptively uses a license;
- (3) fails to comply with the Maryland Cigarette Sales Below Cost Act or regulations adopted under that Act;
- (4) fails to comply with the provisions of Title 11, Subtitle 5A of the Commercial Law Article;
- (5) buys cigarettes for resale:
 - (i) in violation of a license; or

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

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

(i) a felony; or

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

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

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

Approved by the Governor, May 22, 2008.