

HOUSE BILL 335

A2

9lr0591

By: **Montgomery County Delegation**

Introduced and read first time: January 28, 2019

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Montgomery County – Alcoholic Beverages Licenses – Fee Refunds**

3 **MC 28–19**

4 FOR the purpose of establishing that a holder of an alcoholic beverages license in
5 Montgomery County is entitled to a refund of the unearned portion of a license fee if
6 the holder voluntarily surrenders the license at least a certain amount of time before
7 the license expiration date; and generally relating to alcoholic beverages licenses in
8 Montgomery County.

9 BY repealing and reenacting, without amendments,
10 Article – Alcoholic Beverages
11 Section 25–102
12 Annotated Code of Maryland
13 (2016 Volume and 2018 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article – Alcoholic Beverages
16 Section 25–1401
17 Annotated Code of Maryland
18 (2016 Volume and 2018 Supplement)

19 BY adding to
20 Article – Alcoholic Beverages
21 Section 25–1411
22 Annotated Code of Maryland
23 (2016 Volume and 2018 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Article – Alcoholic Beverages

1
2 25–102.

3 This title applies only in Montgomery County.

4 25–1401.

5 (a) The following sections of Title 4, Subtitle 1 (“Applications for Local Licenses”)
6 of Division I of this article apply in the county without exception or variation:

7 (1) § 4–102 (“Applications to be filed with local licensing board”);

8 (2) § 4–106 (“Payment of notice expenses”);

9 (3) § 4–108 (“Application form required by Comptroller”);

10 (4) § 4–112 (“Disposition of license fees”); AND

11 [(5) § 4–113 (“Refund of license fees”); and]

12 [(6)] (5) § 4–114 (“Fees for licenses issued for less than 1 year”).

13 (b) The following sections of Title 4, Subtitle 1 (“Applications for Local Licenses”)
14 of Division I of this article do not apply in the county:

15 (1) § 4–103 (“Application on behalf of partnership”), which is superseded
16 by § 25–1404 of this subtitle;

17 (2) § 4–104 (“Application on behalf of corporation or club”), which is
18 superseded by § 25–1405 of this subtitle;

19 (3) § 4–105 (“Application on behalf of limited liability company”), which is
20 superseded by § 25–1406 of this subtitle;

21 (4) § 4–110 (“Required information on application — Petition of support”);
22 and

23 (5) § 4–111 (“Payment of license fees”), which is superseded by § 25–1410
24 of this subtitle.

25 (c) The following sections of Title 4, Subtitle 1 (“Applications for Local Licenses”)
26 of Division I of this article apply in the county:

27 (1) § 4–107 (“Criminal history records check”), subject to §§ 25–1402 and
28 25–1403 of this subtitle; [and]

1 (2) § 4–109 (“Required information on application — In general”), subject
2 to § 25–1408 of this subtitle and § 22–1409 of this article; AND

3 (3) § 4–113 (“REFUND OF LICENSE FEES”), SUBJECT TO § 25–1411 OF
4 THIS SUBTITLE.

5 **25–1411.**

6 **IF A LICENSE HOLDER VOLUNTARILY SURRENDERS THE LICENSE AT LEAST 6**
7 **MONTHS BEFORE THE LICENSE EXPIRATION DATE, THE LICENSE HOLDER IS**
8 **ENTITLED TO A REFUND OF THE UNEARNED PORTION OF THE LICENSE FEE.**

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
10 1, 2019.