

HOUSE BILL 335

A2

9lr0591

By: **Montgomery County Delegation**

Introduced and read first time: January 28, 2019

Assigned to: Economic Matters

Committee Report: Favorable

House action: Adopted

Read second time: March 12, 2019

CHAPTER _____

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

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 Annotated Code of Maryland
2 (2016 Volume and 2018 Supplement)

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

5 **Article – Alcoholic Beverages**

6 25–102.

7 This title applies only in Montgomery County.

8 25–1401.

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

11 (1) § 4–102 (“Applications to be filed with local licensing board”);

12 (2) § 4–106 (“Payment of notice expenses”);

13 (3) § 4–108 (“Application form required by Comptroller”);

14 (4) § 4–112 (“Disposition of license fees”); **AND**

15 **[(5) § 4–113 (“Refund of license fees”); and]**

16 **[(6) (5) § 4–114 (“Fees for licenses issued for less than 1 year”).**

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

19 (1) § 4–103 (“Application on behalf of partnership”), which is superseded
20 by § 25–1404 of this subtitle;

21 (2) § 4–104 (“Application on behalf of corporation or club”), which is
22 superseded by § 25–1405 of this subtitle;

23 (3) § 4–105 (“Application on behalf of limited liability company”), which is
24 superseded by § 25–1406 of this subtitle;

25 (4) § 4–110 (“Required information on application — Petition of support”);
26 and

27 (5) § 4–111 (“Payment of license fees”), which is superseded by § 25–1410
28 of this subtitle.

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

3 (1) § 4–107 (“Criminal history records check”), subject to §§ 25–1402 and
4 25–1403 of this subtitle; [and]

5 (2) § 4–109 (“Required information on application — In general”), subject
6 to § 25–1408 of this subtitle and § 22–1409 of this article; AND

7 (3) § 4–113 (“REFUND OF LICENSE FEES”), SUBJECT TO § 25–1411 OF
8 THIS SUBTITLE.
9 25–1411.

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

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
14 1, 2019.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.