

# SENATE BILL 298

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CF HB 576

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By: **Carroll County Senators**

Introduced and read first time: January 30, 2019

Assigned to: Education, Health, and Environmental Affairs

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Committee Report: Favorable

Senate action: Adopted

Read second time: March 6, 2019

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Carroll County – Alcoholic Beverages – Required Information on Application**

3 FOR the purpose of repealing certain required information in a petition of support as part  
4 of an application for an alcoholic beverages license in Carroll County; and generally  
5 relating to alcoholic beverages in Carroll County.

6 BY repealing and reenacting, without amendments,  
7 Article – Alcoholic Beverages  
8 Section 4–110 and 16–102  
9 Annotated Code of Maryland  
10 (2016 Volume and 2018 Supplement)

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

16 BY adding to  
17 Article – Alcoholic Beverages  
18 Section 16–1405.1  
19 Annotated Code of Maryland  
20 (2016 Volume and 2018 Supplement)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

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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 That the Laws of Maryland read as follows:

2 **Article – Alcoholic Beverages**

3 4–110.

4 The application shall also include a petition of support signed by at least 10 residents  
5 who are owners of real estate and registered voters of the precinct in which the business is  
6 to be conducted stating:

7 (1) the length of time each of the residents has been acquainted with the  
8 applicant or, if the applicant is a corporation, acquainted with the individuals making the  
9 application;

10 (2) that they have examined the application, have good reason to believe  
11 that the statements contained in the application are true, and in their judgment the  
12 applicant is a suitable person to obtain the license; and

13 (3) that they are familiar with the premises on which the proposed  
14 business is to be conducted and that they believe the premises are suitable for the conduct  
15 of business as a retail dealer.

16 16–102.

17 This title applies only in Carroll County.

18 16–1401.

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

21 (1) § 4–102 (“Applications to be filed with local licensing board”);

22 (2) § 4–103 (“Application on behalf of partnership”);

23 (3) § 4–104 (“Application on behalf of corporation or club”);

24 (4) § 4–105 (“Application on behalf of limited liability company”);

25 (5) § 4–106 (“Payment of notice expenses”);

26 (6) § 4–108 (“Application form required by Comptroller”);

27 (7) [§ 4–110 (“Required information on application – Petition of support”);

28 (8)] § 4–111 (“Payment of license fees”);

1            ~~[(9)] (8)~~      § 4-113 (“Refund of license fees”); and

2            ~~[(10)] (9)~~    § 4-114 (“Fees for licenses issued for less than 1 year”).

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

5            (1)      § 4-107 (“Criminal history records check”), subject to §§ 16-1403 and  
6 16-1404 of this subtitle;

7            (2)      § 4-109 (“Required information on application — In general”), subject  
8 to § 16-1405 of this subtitle; [and]

9            **(3)    § 4-110 (“REQUIRED INFORMATION ON APPLICATION —**  
10 **PETITION OF SUPPORT”), SUBJECT TO § 16-1405.1 OF THIS SUBTITLE; AND**

11           ~~[(3)] (4)~~      § 4-112 (“Disposition of license fees”), subject to § 16-1406 of this  
12 subtitle.

13 **16-1405.1.**

14           **AN APPLICATION FOR A LICENSE SHALL INCLUDE A PETITION OF SUPPORT**  
15 **SIGNED BY AT LEAST 10 RESIDENTS WHO ARE OWNERS OF REAL ESTATE AND**  
16 **REGISTERED VOTERS OF THE PRECINCT IN WHICH THE BUSINESS IS TO BE**  
17 **CONDUCTED STATING:**

18           **(1)    THE LENGTH OF TIME EACH OF THE RESIDENTS HAS BEEN**  
19 **ACQUAINTED WITH THE APPLICANT OR, IF THE APPLICANT IS A CORPORATION,**  
20 **ACQUAINTED WITH THE INDIVIDUALS MAKING THE APPLICATION; AND**

21           **(2)    THAT THEY HAVE EXAMINED THE APPLICATION, HAVE GOOD**  
22 **REASON TO BELIEVE THAT THE STATEMENTS CONTAINED IN THE APPLICATION ARE**  
23 **TRUE, AND IN THEIR JUDGMENT THE APPLICANT IS A SUITABLE PERSON TO OBTAIN**  
24 **THE LICENSE.**

25           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
26 1, 2019.