

Chapter 641

(House Bill 1116)

AN ACT concerning

Business Regulation – Restaurants and Traders – Licensing Requirements

FOR the purpose of ~~repealing~~ *altering* an exception for licensed restaurants, ~~and establishing an exception for certain businesses that generate less than a certain percentage of sales from nonfood items,~~ to the requirement that a person who does business as a trader or an exhibitor have a trader's license *to apply only to restaurants that generate less than a certain percentage of their sales from nonfood items*; and generally relating to restaurant and trader's licenses.

BY repealing and reenacting, without amendments,
 Article – Business Regulation
 Section 17–1803(a)
 Annotated Code of Maryland
 (2015 Replacement Volume and 2023 Supplement)

BY repealing and reenacting, with amendments,
 Article – Business Regulation
 Section 17–1803(d)
 Annotated Code of Maryland
 (2015 Replacement Volume and 2023 Supplement)

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

Article – Business Regulation

17–1803.

(a) Except as otherwise provided in this subtitle, a person must have a trader's license whenever the person:

- (1) does business as a trader in the State; or
- (2) does business as an exhibitor in the State.

(d) This section does not apply to:

- (1) a grower, maker, or manufacturer of goods;

(2) a nonresident traveling salesperson, sample merchant, or representative of a foreign mercantile or manufacturing business while selling to or soliciting an order from a licensed trader in the State; ~~OR~~

(3) a private individual while publicly selling the individual's personal effects on the individual's property, if the individual holds only 1 sale not exceeding 14 consecutive days in a calendar year~~;~~ or

(4) a ~~restaurant licensed under Subtitle 16 of this title~~ BUSINESS restaurant licensed under Subtitle 16 of this title **THAT GENERATES 10% OR LESS OF ITS ANNUAL SALES FROM NONFOOD ITEMS**~~;~~.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2024.

Approved by the Governor, May 9, 2024.