

Bill No.: _____
Requested: _____
Committee: _____

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By: **Montgomery County Delegation**

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)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



1 BY adding to
2 Article – Alcoholic Beverages
3 Section 25–1411
4 Annotated Code of Maryland
5 (2016 Volume and 2018 Supplement)

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

8 **Article – Alcoholic Beverages**

9 25–102.

10 This title applies only in Montgomery County.

11 25–1401.

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

14 (1) § 4–102 (“Applications to be filed with local licensing board”);

15 (2) § 4–106 (“Payment of notice expenses”);

16 (3) § 4–108 (“Application form required by Comptroller”);

17 (4) § 4–112 (“Disposition of license fees”); **AND**

18 **[(5) § 4–113 (“Refund of license fees”); and]**

19 **[(6) (5) § 4–114 (“Fees for licenses issued for less than 1 year”).**

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

22 (1) § 4–103 (“Application on behalf of partnership”), which is superseded
23 by § 25–1404 of this subtitle;

1 (2) § 4–104 (“Application on behalf of corporation or club”), which is
2 superseded by § 25–1405 of this subtitle;

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4 superseded by § 25–1406 of this subtitle;

5 (4) § 4–110 (“Required information on application — Petition of support”);
6 and

7 (5) § 4–111 (“Payment of license fees”), which is superseded by § 25–1410
8 of this subtitle.

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

11 (1) § 4–107 (“Criminal history records check”), subject to §§ 25–1402 and
12 25–1403 of this subtitle; [and]

13 (2) § 4–109 (“Required information on application — In general”), subject
14 to § 25–1408 of this subtitle and § 22–1409 of this article; **AND**

15 **(3) § 4–113 (“REFUND OF LICENSE FEES”), SUBJECT TO § 25–1411 OF**
16 **THIS SUBTITLE.**

17 **25–1411.**

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

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
22 1, 2019.