

Chapter 690

(House Bill 919)

AN ACT concerning

Prince George's County – Issuance, Transfer, and Renewal of Alcoholic Beverages Licenses – Payment of Taxes

PG 302–12

FOR the purpose of prohibiting the Board of License Commissioners for Prince George's County from issuing or renewing a license unless the Board is provided verification that certain undisputed taxes have been paid or that payment has been provided for; authorizing the Board to condition the issuance of a license for which a transfer has been approved on verification that certain undisputed taxes have been paid or that payment has been provided for; specifying that certain requirements concerning verification of undisputed taxes apply to the principals or owners of certain entities ~~and the immediate relatives of the principals and owners~~; and generally relating to alcoholic beverages licenses in Prince George's County.

BY adding to

Article 2B – Alcoholic Beverages
Section 10–202(i–1) and 10–301(f–1)
Annotated Code of Maryland
(2011 Replacement Volume)

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

Article 2B – Alcoholic Beverages

10–202.

(i–1) (1) THIS SUBSECTION APPLIES ONLY IN PRINCE GEORGE'S COUNTY.

(2) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, THE BOARD OF LICENSE COMMISSIONERS MAY NOT ISSUE A LICENSE TO AN APPLICANT UNLESS THE BOARD IS PROVIDED VERIFICATION FROM THE COMPTROLLER AND PRINCE GEORGE'S COUNTY THAT THE APPLICANT HAS:

(i) PAID ALL UNDISPUTED TAXES PAYABLE TO THE COMPTROLLER AND PRINCE GEORGE'S COUNTY; OR

(II) PROVIDED FOR PAYMENT OF THE TAXES DESCRIBED IN ITEM (I) OF THIS PARAGRAPH IN A MANNER SATISFACTORY TO THE GOVERNMENTAL UNIT RESPONSIBLE FOR COLLECTION.

(3) IF AN APPLICATION FOR THE ISSUANCE OF A LICENSE IS MADE ON BEHALF OF A CORPORATION, CLUB, OR OTHER ENTITY, THE VERIFICATION REQUIREMENTS SPECIFIED IN PARAGRAPH (2) OF THIS SUBSECTION APPLY TO UNDISPUTED TAXES PAYABLE BY EACH:

~~(I) OWNER~~ OWNER OR PRINCIPAL OF THE ENTITY;~~AND~~

~~(II) IMMEDIATE RELATIVE OF THE OWNER OR PRINCIPAL.~~

(4) SUBJECT TO PARAGRAPH (5) OF THIS SUBSECTION, IF A TRANSFER AND ISSUANCE OF A LICENSE IS SOUGHT, THE BOARD OF LICENSE COMMISSIONERS MAY APPROVE THE TRANSFER, BUT CONDITION THE ACTUAL ISSUANCE OF THE LICENSE TO THE TRANSFEREE ON VERIFICATION:

(I) OF PAYMENT OF ALL UNDISPUTED TAXES PAYABLE BY THE TRANSFEROR TO THE COMPTROLLER OR PRINCE GEORGE’S COUNTY; OR

(II) THAT PAYMENT OF THE TAXES DESCRIBED IN ITEM (I) OF THIS PARAGRAPH HAS BEEN PROVIDED FOR IN A MANNER SATISFACTORY TO THE GOVERNMENTAL UNIT RESPONSIBLE FOR COLLECTION.

(5) IF THE LICENSE OF THE TRANSFEROR WAS ISSUED ON BEHALF OF A CORPORATION, CLUB, OR OTHER ENTITY, THE VERIFICATION REQUIREMENTS SPECIFIED IN PARAGRAPH (4) OF THIS SUBSECTION APPLY TO UNDISPUTED TAXES PAYABLE BY EACH:

~~(I) OWNER~~ OWNER OR PRINCIPAL OF THE ENTITY;~~AND~~

~~(II) IMMEDIATE RELATIVE OF THE OWNER OR PRINCIPAL.~~

10-301.

(F-1) (1) THIS SUBSECTION APPLIES ONLY IN PRINCE GEORGE’S COUNTY.

(2) SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, BEFORE A LICENSE MAY BE RENEWED, THE BOARD OF LICENSE COMMISSIONERS SHALL VERIFY:

(I) 1. THROUGH THE OFFICE OF THE COMPTROLLER, THAT THE CURRENT LICENSE HOLDER HAS PAID ALL UNDISPUTED TAXES PAYABLE TO THE COMPTROLLER; AND

2. THROUGH PRINCE GEORGE'S COUNTY, THAT THE CURRENT LICENSE HOLDER HAS PAID ALL UNDISPUTED TAXES PAYABLE TO PRINCE GEORGE'S COUNTY; OR

(II) THAT THE CURRENT LICENSE HOLDER HAS PROVIDED FOR PAYMENT OF THE TAXES DESCRIBED IN ITEM (I) OF THIS PARAGRAPH IN A MANNER SATISFACTORY TO THE GOVERNMENTAL UNIT RESPONSIBLE FOR THE COLLECTION.

(3) IF THE INFORMATION PROVIDED TO THE BOARD OF LICENSE COMMISSIONERS STATES THAT THE CURRENT LICENSE HOLDER OWES UNDISPUTED TAXES AND HAS NOT PROVIDED FOR PAYMENT IN A MANNER SATISFACTORY TO THE GOVERNMENTAL UNIT RESPONSIBLE FOR COLLECTION, THE BOARD OF LICENSE COMMISSIONERS MAY NOT RENEW THE LICENSE.

(4) IF THE LICENSE WAS ISSUED ON BEHALF OF A CORPORATION, CLUB, OR OTHER ENTITY, THE VERIFICATION REQUIREMENTS SPECIFIED IN PARAGRAPH (2) OF THIS SUBSECTION APPLY TO UNDISPUTED TAXES PAYABLE BY EACH:

~~(I) OWNER~~ OWNER OR PRINCIPAL OF THE ENTITY; ~~AND~~

~~(II) IMMEDIATE RELATIVE OF THE OWNER OR PRINCIPAL.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2012.

Approved by the Governor, May 22, 2012.