

Article - Business Regulation

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§16–212. IN EFFECT

(a) Subject to the notice requirement of subsection (c) of this section, if a licensee engages in an act or omission that is a ground for discipline under § 16–210 of this subtitle, the Comptroller may suspend the license for a consecutive period that:

(1) for a first offense, is not less than 5 nor more than 20 business days; or

(2) for a subsequent offense, is not less than 20 business days nor more than 6 months.

(b) Subject to the notice requirement under subsection (c) of this section, the Comptroller may revoke a license if a licensee:

(1) willfully and persistently engages in an act or omission that is a ground for discipline under § 16–210(a) of this subtitle; or

(2) violates this title or Title 12 of the Tax – General Article, or regulations adopted under these titles.

(c) If a license is suspended or revoked under this section:

(1) the Comptroller shall give the licensee notice of the suspension or revocation; and

(2) the suspension or revocation may not take effect until at least 5 business days following notice of the suspension or revocation.

(d) The transfer, renewal, or expiration of a license will not bar or abate a disciplinary action under this section.

(e) (1) Except for a violation of § 10–107 of the Criminal Law Article, whenever any license issued under the provisions of this subtitle is suspended or revoked by the Comptroller, the licensee may, before the effective date of the suspension or revocation, petition the Comptroller for permission to make an offer of compromise consisting of a sum of money in lieu of serving the suspension or revocation.

(2) Money paid in lieu of suspension or revocation shall be paid into the General Fund of the State.

(3) An offer of compromise shall not exceed \$2,000 in the case of retail licensees, and shall not exceed \$50,000 for other licensees.

(4) The Comptroller may accept the offer of compromise if:

(i) the public welfare and morals would not be impaired by allowing the licensee to operate during the period set for the suspension or revocation; and

(ii) the payment of the sum of money will achieve the desired disciplinary purposes.

(5) The Comptroller may promulgate rules and regulations necessary to carry out the purposes of this subsection.

§16–212. ** TAKES EFFECT JUNE 1, 2020 PER CHAPTER 12 OF 2019 **

(a) Subject to the notice requirement of subsection (c) of this section, if a licensee engages in an act or omission that is a ground for discipline under § 16–210 of this subtitle, the Executive Director may suspend the license for a consecutive period that:

(1) for a first offense, is not less than 5 nor more than 20 business days; or

(2) for a subsequent offense, is not less than 20 business days nor more than 6 months.

(b) Subject to the notice requirement under subsection (c) of this section, the Executive Director may revoke a license if a licensee:

(1) willfully and persistently engages in an act or omission that is a ground for discipline under § 16–210(a) of this subtitle; or

(2) violates this title or Title 12 of the Tax – General Article, or regulations adopted under these titles.

(c) If a license is suspended or revoked under this section:

(1) the Executive Director shall give the licensee notice of the suspension or revocation; and

(2) the suspension or revocation may not take effect until at least 5 business days following notice of the suspension or revocation.

(d) The transfer, renewal, or expiration of a license will not bar or abate a disciplinary action under this section.

(e) (1) Except for a violation of § 10–107 of the Criminal Law Article, whenever any license issued under the provisions of this subtitle is suspended or revoked by the Executive Director, the licensee may, before the effective date of the suspension or revocation, petition the Executive Director for permission to make an offer of compromise consisting of a sum of money in lieu of serving the suspension or revocation.

(2) Money paid in lieu of suspension or revocation shall be paid into the General Fund of the State.

(3) An offer of compromise shall not exceed \$2,000 in the case of retail licensees, and shall not exceed \$50,000 for other licensees.

(4) The Executive Director may accept the offer of compromise if:

(i) the public welfare and morals would not be impaired by allowing the licensee to operate during the period set for the suspension or revocation; and

(ii) the payment of the sum of money will achieve the desired disciplinary purposes.

(5) The Executive Director may promulgate rules and regulations necessary to carry out the purposes of this subsection.

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