

Article - Business Regulation

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§16.5–208. IN EFFECT

(a) Subject to the hearing provisions of § 16.5–209 of this subtitle, the Comptroller may deny a license to an applicant, reprimand a licensee, or suspend or revoke a license if the applicant or licensee:

- (1) fraudulently or deceptively obtains or attempts to obtain a license for the applicant or licensee or for another person;
- (2) fraudulently or deceptively uses a license;
- (3) buys other tobacco products for resale:
 - (i) in violation of a license; or
 - (ii) from a person who is not an other tobacco products manufacturer or licensed other tobacco products wholesaler;
- (4) is convicted, under the laws of the United States or of any other state, of:
 - (i) a felony; or
 - (ii) a misdemeanor that is a crime of moral turpitude and is directly related to the fitness and qualification of the applicant or licensee;
- (5) violates Title 12 of the Tax – General Article or regulations adopted under that title; or
- (6) violates this title or Title 16 of this article or regulations adopted under these titles.

(b) Subject to the hearing provisions of § 16.5–209 of this subtitle, the Comptroller shall deny a license to any applicant who has had a license revoked under this section until:

- (1) 1 year has passed since the license was revoked; and
- (2) it satisfactorily appears to the Comptroller that the applicant will comply with this title and any regulations adopted under this title.

(c) Prior to the issuance or renewal of any license, the Comptroller shall conduct an investigation with regard to:

- (1) the applicant;
- (2) the business to be operated; and
- (3) the facts set forth in the application.

§16.5–208. ** TAKES EFFECT JUNE 1, 2020 PER CHAPTER 12 OF 2019 **

(a) Subject to the hearing provisions of § 16.5–209 of this subtitle, the Executive Director may deny a license to an applicant, reprimand a licensee, or suspend or revoke a license if the applicant or licensee:

- (1) fraudulently or deceptively obtains or attempts to obtain a license for the applicant or licensee or for another person;
- (2) fraudulently or deceptively uses a license;
- (3) buys other tobacco products for resale:
 - (i) in violation of a license; or
 - (ii) from a person who is not an other tobacco products manufacturer or licensed other tobacco products wholesaler;
- (4) is convicted, under the laws of the United States or of any other state, of:
 - (i) a felony; or
 - (ii) a misdemeanor that is a crime of moral turpitude and is directly related to the fitness and qualification of the applicant or licensee;
- (5) violates Title 12 of the Tax – General Article or regulations adopted under that title; or
- (6) violates this title or Title 16 of this article or regulations adopted under these titles.

(b) Subject to the hearing provisions of § 16.5–209 of this subtitle, the Executive Director shall deny a license to any applicant who has had a license revoked under this section until:

(1) 1 year has passed since the license was revoked; and

(2) it satisfactorily appears to the Executive Director that the applicant will comply with this title and any regulations adopted under this title.

(c) Prior to the issuance or renewal of any license, the Executive Director shall conduct an investigation with regard to:

(1) the applicant;

(2) the business to be operated; and

(3) the facts set forth in the application.

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