

HOUSE BILL 1300

C2

5lr2653

By: **Delegate Rosenberg**

Introduced and read first time: February 7, 2025

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City – Cigarettes and Other Tobacco Products – Public Notice of**
3 **Application for County License**

4 FOR the purpose of requiring the clerk of the Circuit Court for Baltimore City to publish
5 certain public notices of an application for certain county licenses to sell cigarettes
6 or other tobacco products at retail before issuing a certain license; and generally
7 relating to county retailer licenses and cigarettes and other tobacco products.

8 BY repealing and reenacting, without amendments,

9 Article – Business Regulation

10 Section 16–201(a), (d), and (k), 16–204(b)(1), 16–301, and 16.5–101(a), (b), and (f)

11 Annotated Code of Maryland

12 (2024 Replacement Volume)

13 BY repealing and reenacting, with amendments,

14 Article – Business Regulation

15 Section 16–302(a) and 16.5–203(b)

16 Annotated Code of Maryland

17 (2024 Replacement Volume)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

19 That the Laws of Maryland read as follows:

20 **Article – Business Regulation**

21 16–201.

22 (a) In this subtitle the following words have the meanings indicated.

23 (d) “Licensed retailer” means a person licensed by the clerk under § 16–205(b) of
24 this subtitle to act as a retailer.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(k) “Retailer” means a person who:

(1) sells cigarettes to consumers through vending machines on fewer than 40 premises;

(2) otherwise sells cigarettes to consumers; or

(3) holds cigarettes for sale to consumers.

16–204.

(b) (1) An applicant for a license to act as a retailer shall:

(i) obtain the county license required under § 16–301 of this title;

(ii) submit to the clerk an application for each permanent or temporary place of business located in the same enclosure and operated by the same applicant; and

(iii) pay to the clerk a fee of \$30.

16–301.

Whenever a person sells cigarettes at retail in a county, the person must have a county license for:

(1) each place of business; and

(2) each vending machine, if the applicant sells cigarettes through a vending machine.

16–302.

(a) (1) **[For] SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, FOR** each county license, an applicant shall:

[(1)] (I) submit an application to the clerk; and

[(2)] (II) pay to the clerk a license fee of \$300.

(2) IN BALTIMORE CITY ONLY, BEFORE A CLERK MAY ISSUE A COUNTY LICENSE UNDER § 16–303 OF THIS SUBTITLE, THE CLERK SHALL PROVIDE PUBLIC NOTICE BY:

(I) PUBLICATION OF A NOTICE OF THE APPLICATION TWO TIMES FOR 2 SUCCESSIVE WEEKS IN TWO NEWSPAPERS OF GENERAL CIRCULATION IN BALTIMORE CITY THAT STATES:

1. THE NAME OF THE APPLICANT;

2. THAT THE APPLICANT IS APPLYING FOR A COUNTY LICENSE TO SELL CIGARETTES AT RETAIL IN THE CITY; AND

3. THE LOCATION OF THE BUSINESS DESCRIBED IN THE APPLICATION; AND

(II) POSTING A NOTICE IN A CONSPICUOUS PLACE AT THE LOCATION OF THE BUSINESS DESCRIBED IN THE APPLICATION FOR AT LEAST 10 DAYS.

16.5–101.

(a) In this title the following words have the meanings indicated.

(b) “County license” means a license issued by the clerk to sell other tobacco products at retail in a county.

(f) “Licensed other tobacco products retailer” means a person licensed by the clerk under § 16.5–204(b) of this title to act as an other tobacco products retailer.

16.5–203.

(b) (1) An applicant for a license to act as an other tobacco products retailer or a tobacconist:

(i) **SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION**, shall obtain a county license by submitting to the clerk an application for each permanent or temporary place of business located in the same enclosure and operated by the same applicant; and

(ii) except as provided in paragraph [(2)] **(3)** of this subsection, shall pay to the clerk a fee of \$15.

(2) IN BALTIMORE CITY ONLY, BEFORE A CLERK MAY ISSUE A COUNTY LICENSE UNDER THIS SUBTITLE, THE CLERK SHALL PROVIDE PUBLIC NOTICE BY:

(I) PUBLICATION OF A NOTICE OF THE APPLICATION TWO TIMES FOR 2 SUCCESSIVE WEEKS IN TWO NEWSPAPERS OF GENERAL CIRCULATION IN BALTIMORE CITY THAT STATES:

1. THE NAME OF THE APPLICANT;

2. THAT THE APPLICANT IS APPLYING FOR A COUNTY LICENSE TO SELL OTHER TOBACCO PRODUCTS AT RETAIL IN THE CITY; AND

3. THE LOCATION OF THE BUSINESS DESCRIBED IN THE APPLICATION; AND

(II) POSTING A NOTICE IN A CONSPICUOUS PLACE AT THE LOCATION OF THE BUSINESS DESCRIBED IN THE APPLICATION FOR AT LEAST 10 DAYS.

[(2)] (3) A person who has a license issued under Title 16 of this article to act as a cigarette retailer or to act as a special cigarette retailer is not required to pay the license fee.

[(3)] (4) The application shall:

(i) be made on the form that the clerk requires; and

(ii) contain the information that the Executive Director requires.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2025.