

SENATE BILL 6

C2

7lr0103

(PRE-FILED)

By: **Chair, Education, Health, and Environmental Affairs Committee (By Request
– Departmental – Labor, Licensing and Regulation)**

Requested: September 29, 2016

Introduced and read first time: January 11, 2017

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Occupational and Professional Licensing Boards, Commissions, and Regulatory**
3 **Entities – Notifications of Applicants, Licensees, Registrants, and Permit**
4 **Holders**

5 FOR the purpose of altering the methods by which certain occupational and professional
6 licensing boards, commissions, and other regulatory entities are authorized to send
7 certain notices to certain applicants and certain renewal notices to certain licensees,
8 registrants, or permit holders; altering certain requirements for, and the contents of,
9 certain notices; and generally relating to notifications of licensees, registrants,
10 permit holders, and certificate holders regulated by occupational and professional
11 licensing boards, commissions, and other regulatory entities.

12 BY repealing and reenacting, with amendments,

13 Article – Business Occupations and Professions

14 Section 2–305(f) and (g)(1), 2–309(a), 2–311(b), 2–313(c)(2), 2–405(a), 2–407(b),
15 3–309(b), 3–408(b), 4–304.1(c), 4–310(c), 4–405(c), 4–506(b), 5–307(e),
16 5–311(c), 5–405(c), 5–506(b), 6–306(g), 6–310(b), 6–311(d)(2), 6.5–312(b)(1),
17 7–306(a), 7–308(b), 8–307(b), 9–309(b), 9–408(b), 11–408(b), 12–308(b),
18 13–308(c), 14–314(b)(1), 14–407(b), 15–314(b)(1), 15–406(b), 16–308(b),
19 16–3A–07(b), 16–5A–04(b)(2), 17–314(d), 18–307(c), 19–308(c), 20–309(b),
20 21–306(a), and 21–308(b)

21 Annotated Code of Maryland

22 (2010 Replacement Volume and 2016 Supplement)

23 BY repealing and reenacting, with amendments,

24 Article – Business Regulation

25 Section 5–307(b), 8–308(c), 9A–304(c), 12–207(b), and 12.5–209(d)

26 Annotated Code of Maryland

27 (2015 Replacement Volume and 2016 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



BY repealing and reenacting, with amendments,
Article – Public Safety
Section 12–833(b)
Annotated Code of Maryland
(2011 Replacement Volume and 2016 Supplement)

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

Article – Business Occupations and Professions

2–305.

(f) (1) The Board shall mail **OR ELECTRONICALLY TRANSMIT** to each applicant notice of the applicant's examination score.

(2) Any applicant who requests an appointment within 60 days after the date on which the notice is mailed **OR ELECTRONICALLY TRANSMITTED** may review the applicant's answers to the examination.

(g) (1) If the Board uses the services of the American Institute of Certified Public Accountants to grade an examination, the Board may [send] **MAIL OR ELECTRONICALLY TRANSMIT** the examination answers to the Institute [by electronic transmission, by mail, or by a private delivery service].

2–309.

(a) If an applicant qualifies for a license under this subtitle, the Board shall [send] **MAIL OR ELECTRONICALLY TRANSMIT TO** the applicant a notice that states that:

(1) the applicant has qualified for a license; and

(2) on receipt of a license fee set by the Board, the Board will issue a license to the applicant.

2–311.

(b) At least 1 month before a license expires, the Board shall mail **OR ELECTRONICALLY TRANSMIT** to the licensee[, at the last known address of the licensee]:

(1) a renewal application form; and

(2) a notice that states:

(i) the date on which the current license expires; **AND**

(ii) [the date by which the Board must receive the renewal application for the renewal to be issued and mailed before the license expires; and

(iii)] the amount of the license fee.

2–313.

(c) (2) At least 1 month before the inactive status of a licensee expires, the Board shall mail **OR ELECTRONICALLY TRANSMIT** to the licensee[, at the last known address of the licensee]:

(i) a renewal application form; and

(ii) a notice that states:

1. the date on which the inactive status expires; **AND**

2. [the date by which the Board must receive the renewal application for the renewal to be mailed before the inactive status expires; and

3.] the amount of the inactive status fee.

2–405.

(a) If an applicant qualifies for a permit under this subtitle, the Board shall [send] **MAIL OR ELECTRONICALLY TRANSMIT TO** the applicant a notice that states that:

(1) the applicant has qualified for a permit; and

(2) on receipt of a permit fee set by the Board, the Board will issue a permit to the applicant.

2–407.

(b) At least 1 month before a permit expires, the Board shall mail **OR ELECTRONICALLY TRANSMIT** to the permit holder[, at the last known address of the holder]:

(1) a renewal application form; and

(2) a notice that states:

(i) the date on which the current permit expires; **AND**

(ii) [the date by which the Board must receive the renewal application for the renewal to be issued and mailed before the permit expires; and

(iii)] the amount of the permit fee.

3–309.

(b) At least 1 month before a license expires, the Board shall mail **OR ELECTRONICALLY TRANSMIT** to the licensee[, at the last known address of the licensee]:

(1) a renewal application form; and

(2) a notice that states:

(i) the date on which the current license expires; **AND**

(ii) [the date by which the Board must receive the renewal application for the renewal to be issued and mailed before the license expires; and

(iii)] the amount of the license fee.

3–408.

(b) At least 1 month before a permit expires, the Board shall mail **OR ELECTRONICALLY TRANSMIT** to the permit holder[, at the last known address of the permit holder]:

(1) a renewal application form; and

(2) a notice that states:

(i) the date on which the current permit expires; **AND**

(ii) [the date by which the Board must receive the renewal application for the renewal to be issued and mailed before the permit expires; and

(iii)] the amount of the permit fee.

4–304.1.

(c) The Board or the Board's designees shall mail **OR ELECTRONICALLY TRANSMIT** to each applicant notice of the applicant's examination results.

4–310.

(c) At least 1 month before a license expires, the Board shall mail **OR ELECTRONICALLY TRANSMIT** to the licensee[, at the last known address of the licensee]:

(1) a renewal application form; and

(2) a notice that states:

(i) the date on which the current license expires; **AND**

(ii) [the date by which the Board must receive the renewal application for the renewal to be issued and mailed before the license expires; and

(iii)] the amount of the renewal fee.

4–405.

(c) At least 1 month before registration as an apprentice barber expires, the Board shall mail **OR ELECTRONICALLY TRANSMIT** to the apprentice barber[, at the last known address of the apprentice barber]:

(1) a renewal application form; and

(2) a notice that states:

(i) the date on which the current registration as an apprentice barber expires; **AND**

(ii) [the date by which the Board must receive the renewal application for the renewal to be approved, issued, and mailed before the registration expires; and

(iii)] the amount of the renewal fee.

4–506.

(b) At least 1 month before a barbershop permit expires, the Board shall mail **OR ELECTRONICALLY TRANSMIT** to the permit holder[, at the last known address of the holder]:

(1) a renewal application form; and

(2) a notice that states:

(i) the date on which the current permit expires; **AND**

(ii) [the date by which the Board must receive the renewal application for the renewal to be issued and mailed before the permit expires; and

(iii)] the amount of the renewal fee.

5–307.

(e) The Board or the Board’s designee shall mail **OR ELECTRONICALLY TRANSMIT** to each applicant notice of the applicant’s examination result.

5–311.

(c) At least 1 month before a license expires, the Board shall mail **OR ELECTRONICALLY TRANSMIT** to the licensee[, at the last known address of the licensee]:

(1) a renewal application form; and

(2) a notice that states:

(i) the date on which the current license expires; **AND**

(ii) [the date by which the Board must receive the renewal application for the renewal to be issued and mailed before the license expires; and

(iii)] the amount of the renewal fee.

5–405.

(c) At least 1 month before the registration of an individual expires, the Board shall mail **OR ELECTRONICALLY TRANSMIT** to the individual[, at the last known address of the individual]:

(1) a renewal application form; and

(2) a notice that states:

(i) the date on which the current registration expires; **AND**

(ii) [the date by which the Board must receive the renewal application for the renewal to be issued and mailed before the registration expires; and

(iii)] the amount of the renewal fee.

5–506.

(b) At least 1 month before a beauty salon permit expires, the Board shall mail **OR ELECTRONICALLY TRANSMIT** to the beauty salon permit holder[, at the last known address of the holder]:

(1) a renewal application form; and

(2) a notice that states:

(i) the date on which the current permit expires; **AND**

(ii) [the date by which the Board must receive the renewal application for the renewal to be issued and mailed before the permit expires; and

(iii)] the amount of the renewal fee.

6–306.

(g) Within 45 days after the examination, the State Board shall mail **OR ELECTRONICALLY TRANSMIT** to each applicant notice of the applicant's examination score.

6–310.

(b) At least 1 month before a State license expires, the State Board shall mail **OR ELECTRONICALLY TRANSMIT** to the State licensee[, at the last known address of the State licensee]:

(1) a renewal application form; and

(2) a notice that states:

(i) the date on which the current State license expires; **AND**

(ii) [the date by which the State Board must receive the renewal application for the renewal to be issued and mailed before the State license expires; and

(iii)] the amount of the renewal fee.

6–311.

(d) (2) At least 1 month before the inactive status of an individual expires, the State Board shall mail **OR ELECTRONICALLY TRANSMIT** to the individual[, at the last known address of the individual]:

(i) a renewal application form; and

(ii) a notice that states:

1. the date on which the inactive status expires; **AND**

2. [the date by which the State Board must receive the renewal application for the renewal to be issued and mailed before the inactive status expires; and

3.] the amount of the renewal fee.

6.5–312.

(b) (1) At least 1 month before a license expires, the Board shall mail **OR ELECTRONICALLY TRANSMIT** to the licensee[, at the last known address of the licensee]:

(i) a renewal application form; and

(ii) a notice that states:

1. the date on which the current license expires; **AND**

2. [the date by which the Board must receive the renewal application for the renewal to be issued and mailed before the license expires; and

3.] the amount of the renewal fee as required under § 6.5–207 of this title.

7–306.

(a) If an applicant qualifies for a license under this subtitle, the Board shall mail **OR ELECTRONICALLY TRANSMIT TO** the applicant a notice that states that:

(1) the applicant has qualified for a license;

(2) on receipt of a \$55 license fee, the Board will issue a license to the applicant; and

(3) if the applicant fails to pay the license fee within 30 days after receipt of the notice, the applicant forfeits the right to be issued a license and, to obtain a license, may be required to submit a new application and to pay a new application fee.

7–308.

(b) At least 30 days before a license expires, the Board shall mail **OR ELECTRONICALLY TRANSMIT** to the licensee[, at the last known address of the licensee]:

1 (1) a renewal application form; and

2 (2) a notice that states:

3 (i) the date on which the current license expires; **AND**

4 (ii) [the date by which the Board must receive the renewal
5 application for the renewal to be issued and mailed before the license expires; and

6 (iii)] the amount of the renewal fee.

7 8–307.

8 (b) At least 30 days before the certificate expires, the Board shall mail **OR**
9 **ELECTRONICALLY TRANSMIT** to the certificate holder[, at the last known address of the
10 certificate holder]:

11 (1) a renewal application form;

12 (2) a notice that states[:

13 (i)] the date on which the current certificate expires; and

14 [(ii) the date by which the Board must receive the renewal application
15 for the renewal to be issued and mailed before the certificate expires; and]

16 (3) the amount of the certificate fee.

17 9–309.

18 (b) At least 1 month before a license expires, the Board shall mail **OR**
19 **ELECTRONICALLY TRANSMIT** to the licensee[, at the last known address of the licensee]:

20 (1) a renewal application form; and

21 (2) a notice that states:

22 (i) the date on which the current license expires; **AND**

23 (ii) [the date by which the Board must receive the renewal
24 application for the renewal to be issued and mailed before the license expires; and

25 (iii)] the amount of the license fee.

26 9–408.

(b) At least 1 month before a permit expires, the Board shall mail **OR ELECTRONICALLY TRANSMIT** to the permit holder[, at the last known address of the holder]:

(1) a renewal application form; and

(2) a notice that states:

(i) the date on which the current permit expires; **AND**

(ii) [the date by which the Board must receive the renewal application for the renewal to be issued and mailed before the permit expires; and

(iii)] the amount of the permit fee.

11–408.

(b) At least 1 month before a license expires, the Board shall mail **OR ELECTRONICALLY TRANSMIT** to the licensee[, at the last known address of the licensee]:

(1) a renewal application form; and

(2) a notice that states:

(i) the date on which the current license expires; **AND**

(ii) [the date by which the Board must receive the renewal application for the renewal to be issued and mailed before the license expires; and

(iii)] the amount of the renewal fee.

12–308.

(b) At least 1 month before a license expires, the Board shall mail **OR ELECTRONICALLY TRANSMIT** to the licensee[, at the last known address of the licensee]:

(1) a renewal application form; and

(2) a notice that states:

(i) the date on which the current license expires; **AND**

(ii) [the date by which the Board must receive the renewal application for the renewal to be issued and mailed before the license expires; and

(iii)] the amount of the renewal fee.

1 13-308.

2 (c) At least 1 month before a license expires, the Secretary shall mail **OR**
3 **ELECTRONICALLY TRANSMIT** to the licensee[, at the last known address of the licensee]:

4 (1) a renewal application form; and

5 (2) a notice that states:

6 (i) the date on which the current license expires;

7 (ii) [that the Secretary must receive the renewal application and the
8 statements required under § 13-309 of this subtitle, at least 15 days before the license
9 expiration date, for the renewal to be issued and mailed before the license expires;

10 (iii)] the amount of the renewal fee;

11 [(iv)] **(III)** that, if the statements required under § 13-309 of this
12 subtitle are not received at least 15 days before the license expiration date, a fee of \$10 per
13 day shall be charged against the licensee until the statements are received; and

14 [(v)] **(IV)** that the submission of a false statement in the renewal
15 application or in the annual statements is cause for revocation of the license.

16 14-314.

17 (b) (1) At least 1 month before a license expires, the Board shall mail **OR**
18 **ELECTRONICALLY TRANSMIT** to the licensee[, at the last known address of the licensee]:

19 (i) a renewal application form; and

20 (ii) a notice that states:

21 1. the date on which the current license expires; **AND**

22 2. [the date by which the Board must receive the renewal
23 application for the renewal to be issued and mailed before the license expires; and

24 3.] the amount of the license fee.

25 14-407.

26 (b) At least 1 month before a permit expires, the Board shall mail **OR**
27 **ELECTRONICALLY TRANSMIT** to the permit holder[, at the last known address of the
28 holder]:

1 (1) a renewal application form; and

2 (2) a notice that states:

3 (i) the date on which the current permit expires; **AND**

4 (ii) [the date by which the Board must receive the renewal
5 application for the renewal to be issued and mailed before the permit expires; and

6 (iii)] the amount of the permit fee.

7 15–314.

8 (b) (1) At least 1 month before a license expires, the Board shall mail **OR**
9 **ELECTRONICALLY TRANSMIT** to the licensee[, at the last known address of the licensee]:

10 (i) a renewal application form; and

11 (ii) a notice that states:

12 1. the date on which the current license expires; **AND**

13 2. [the date by which the Board must receive the renewal
14 application for the renewal to be issued and mailed before the license expires; and

15 3.] the amount of the license fee.

16 15–406.

17 (b) At least 1 month before a permit expires, the Board shall mail **OR**
18 **ELECTRONICALLY TRANSMIT** to the permit holder[, at the last known address of the
19 holder]:

20 (1) a renewal application form; and

21 (2) a notice that states:

22 (i) the date on which the current permit expires; **AND**

23 (ii) [the date by which the Board must receive the renewal
24 application for the renewal to be issued and mailed before the permit expires; and

25 (iii)] the amount of the permit fee.

26 16–308.

1 (b) At least 1 month before the license expires, the Commission shall [send] MAIL
2 OR ELECTRONICALLY TRANSMIT to the licensee[, at the last known address of the
3 licensee]:

4 (1) a renewal application form; and

5 (2) a notice that states:

6 (i) the date on which the current license expires; AND

7 (ii) [the date by which the Commission must receive the renewal
8 application for the renewal to be issued and mailed before the license expires; and

9 (iii)] the amount of the renewal fee.

10 16-3A-07.

11 (b) At least 1 month before a license expires, the Commission shall mail OR
12 ELECTRONICALLY TRANSMIT to the licensee[, at the last known address of the licensee]:

13 (1) a renewal application form; and

14 (2) a notice that states:

15 (i) the date on which the current license expires; and

16 (ii) the amount of the renewal fee.

17 16-5A-04.

18 (b) (2) At least 1 month before a real estate appraiser trainee license expires,
19 the Commission shall mail OR ELECTRONICALLY TRANSMIT to the licensee[, at the last
20 known address of the licensee]:

21 (i) a renewal application form; and

22 (ii) a notice that states:

23 1. the date on which the current license expires; AND

24 2. [the date by which the Commission must receive the
25 renewal application for the renewal to be issued and mailed before the license expires; and

26 3.] the amount of the renewal fee.

1 17–314.

2 (d) (1) At least 1 month before a license expires, the Commission shall mail
3 **OR ELECTRONICALLY TRANSMIT** to the licensee, as provided in paragraph (2) of this
4 subsection:

5 (i) a renewal application form; and

6 (ii) a notice that states:

7 1. the date on which the current license expires; **AND**

8 2. [the date by which the Commission must receive the
9 renewal application for the renewal to be issued and mailed before the license expires; and

10 3.] the amount of the renewal fee.

11 (2) (i) If the licensee is a real estate broker, the Commission shall mail
12 **OR ELECTRONICALLY TRANSMIT** the renewal application form and notice to the principal
13 office of the broker.

14 (ii) If the licensee is an associate real estate broker or a real estate
15 salesperson, the Commission shall mail **OR ELECTRONICALLY TRANSMIT** the renewal
16 application form and notice to the principal office of the real estate broker with whom the
17 licensee is affiliated.

18 18–307.

19 (c) At least 1 month before a license expires, the Secretary shall mail **OR**
20 **ELECTRONICALLY TRANSMIT** to the agency[, at the last known address of the agency]:

21 (1) a renewal application form; and

22 (2) a notice that states:

23 (i) the date on which the current license expires;

24 (ii) [that the Secretary must receive the renewal application and
25 proof of insurance or bonding as required in § 18–401 of this title at least 15 days before
26 the license expiration date for the renewal to be issued and mailed before the license
27 expires;

28 (iii)] the amount of the renewal fee;

29 [(iv)] **(III)** that, if the complete renewal application and proof of
30 insurance or bonding as required in § 18–401 of this title are not received at least 15 days

1 before the license expiration date, a fee of \$25 per day shall be charged against the agency
2 until the day the license expires, at which time the agency shall be considered closed;

3 ~~[(v)] (IV)~~ that an agency may not be issued a license under this title
4 until all outstanding obligations are satisfied with the Secretary; and

5 ~~[(vi)] (V)~~ that the submission of a false statement in the renewal
6 application or the submission of altered or false documents that are otherwise required is
7 cause for revocation of the agency license.

8 19–308.

9 (c) At least 1 month before a license expires, the Secretary shall mail **OR**
10 **ELECTRONICALLY TRANSMIT** to the licensee[, at the last known address of the licensee]:

11 (1) a renewal application form; and

12 (2) a notice that states:

13 (i) the date on which the current license expires;

14 (ii) [that the Secretary must receive the renewal application and the
15 statements required under § 19–309 of this subtitle, at least 15 days before the license
16 expiration date, for the renewal to be issued and mailed before the license expires;

17 (iii)] the amount of the renewal fee;

18 ~~[(iv)] (III)~~ that, if the statements required under § 19–309 of this
19 subtitle are not received at least 15 days before the license expiration date, a fee of \$10 per
20 day shall be charged against the licensee until the statements are received; and

21 ~~[(v)] (IV)~~ that the submission of a false statement in the renewal
22 application or in the annual statements is cause for revocation of the license.

23 20–309.

24 (b) At least 2 months before a license expires, the Secretary shall mail **OR**
25 **ELECTRONICALLY TRANSMIT** to the licensee[, at the last known address of the licensee]:

26 (1) a renewal application form; and

27 (2) a notice that states:

28 (i) the date on which the current license expires;

(ii) [that the Secretary must receive the renewal application at least 21 days before the license expiration date, for the renewal to be issued and mailed before the current license expires;

(iii)] the amount of the renewal fee; and

[(iv)] (III) that the submission of a false statement in the renewal application or in the annual statements is cause for revocation of the license.

21-306.

(a) If an applicant qualifies for a registration under this subtitle, the Board shall [send] **MAIL OR ELECTRONICALLY TRANSMIT TO** the applicant a notice that states that:

(1) the applicant has qualified for a registration; and

(2) on receipt of a registration fee set by the Board, the Board will issue a registration to the applicant.

21-308.

(b) At least 1 month before a registration expires, the Board shall mail **OR ELECTRONICALLY TRANSMIT** to the individual[, at the last known address of the individual]:

(1) a renewal application form; and

(2) a notice that states:

(i) the date on which the current registration expires; **AND**

(ii) [the date by which the Board must receive the renewal application for the renewal to be issued and mailed before the registration expires; and

(iii)] the amount of the renewal fee.

Article – Business Regulation

5-307.

(b) At least 90 days before a registration or permit expires, the Director shall mail **OR ELECTRONICALLY TRANSMIT** to the registrant or permit holder[, at the last known address of the registrant or permit holder]:

(1) a renewal application form; and

(2) a notice that states:

(i) the date on which the current registration or permit expires; **AND**

(ii) [the date by which the Director must receive the renewal application for the renewal to be issued and mailed before the registration or permit expires; and

(iii)] the amount of the renewal fee.

8–308.

(c) At least 1 month before a license expires, the Commission shall mail **OR ELECTRONICALLY TRANSMIT** to the licensee[, at the last known address of the licensee]:

(1) a renewal application form; and

(2) a notice that states:

(i) the date on which the current license expires; **AND**

(ii) [the date by which the Commission must receive the renewal application for the renewal to be issued and mailed before the license expires; and

(iii)] the amount of the renewal fee.

9A–304.

(c) The Board shall [send] **MAIL OR ELECTRONICALLY TRANSMIT** written notice of the date, hour, and place of examination to each applicant for a license who is required to pass the examination.

12–207.

(b) At least 1 month before a license expires, the Secretary shall mail **OR ELECTRONICALLY TRANSMIT** to the licensee[, at the last known address of the licensee]:

(1) a renewal application form; and

(2) a notice that states:

(i) the date on which the current license expires; **AND**

(ii) [the date by which the Secretary must receive the renewal application for the renewal to be issued and mailed before the license expires; and

(iii)] the amount of the renewal fee.

12.5–209.

(d) At least 60 days before a license expires, the Secretary shall mail **OR ELECTRONICALLY TRANSMIT** to the licensee[, at the last known address of the licensee]:

(1) a renewal application form;

(2) a form that allows a licensee to update the information submitted in the original application or state that the information is current and accurate;

(3) except as provided in subsection (e) of this section, a form that requires the licensee to agree to continue to comply with each requirement applicable to the original application; and

(4) a notice that states:

(i) the date on which the current license expires; **AND**

(ii) [the date by which the Secretary must receive the renewal application for the renewal to be issued and mailed before the license expires; and

(iii)] the amount of the renewal fee.

Article – Public Safety

12–833.

(b) At least 1 month before a license expires, the Board shall mail **OR ELECTRONICALLY TRANSMIT** to the licensee[, at the last known address of the licensee]:

(1) a renewal application form; and

(2) a notice that states:

(i) the date on which the current license expires; **AND**

(ii) [the date by which the Board must receive the renewal application for the renewal to be issued and mailed before the license expires; and

(iii)] the amount of the renewal fee.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2017.