

Chapter 236

(Senate Bill 995)

AN ACT concerning

St. Mary's County – Local Licenses – Repeal

FOR the purpose of repealing certain provisions of law that relate to certain licenses issued in St. Mary's County.

BY repealing

The Public Local Laws of St. Mary's County
Section 61–1 through 61–3 and the chapter “Chapter 61. Hucksters and Peddlers”
Article 19 – Public Local Laws of Maryland
(2007 Edition and March 2014 Supplement, as amended)

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

Article 19 – St. Mary's County

[Chapter 61. Hucksters and Peddlers.]

[61–1.

A. (1) A huckster, hawker or peddler may not sell or offer for sale any fruits or vegetables in St. Mary's County without a license.

(2) This section does not apply to farmers or growers selling their own fruits or vegetables.

B. (1) An applicant for a license shall pay an annual license fee set by the County Commissioners, by resolution, to the Clerk of the Circuit Court of St. Mary's County.

(2) The Clerk of the Court shall pay the receipts from the issuance of the licenses to the County Treasurer for the use of the county.

C. Any person violating the provisions of this section on conviction is subject to a fine not exceeding one thousand dollars (\$1,000.00).]

[61–2.

A. A person may not conduct the business of or act as an itinerant or door-to-door peddler or salesman of goods, wares or merchandise, either by sample or

otherwise, in St. Mary's County unless the person holds a current license issued by the Sheriff of the county. As used in this section, "peddler or salesman" includes one who offers for sale or solicits subscriptions for magazines or other periodical publications.

B. The Sheriff shall make available application forms for a peddler's and magazine seller's license, requiring such information as, in the opinion of the Sheriff, may be necessary to keep an appropriate listing of the persons in St. Mary's County who are engaged in these occupations. The license shall be issued on application, at an annual cost set by the County Commissioners, by resolution. The cost may not be prorated for portions of a year. The license year begins as of January 1.

C. This section may not be construed or used to apply to any person who is going from door to door in any activity or enterprise which is conducted for and on behalf of any nonprofit, charitable or eleemosynary agency or organization; or to any person who is going from door to door or utilizing roadside stands in the sale of farm produce or seafood of any kind which the person has produced or taken within the limits of St. Mary's County; or to any person who is selling or delivering newspapers.

D. Any person who violates any provision of this section is guilty of a misdemeanor and on conviction is subject to a fine not exceeding one thousand dollars (\$1,000.00) for each violation.]

[61-3.

A. An individual may not conduct business as a palm reader, fortune teller, soothsayer, or psychic in St. Mary's County without a current license issued by the Sheriff of the county.

B. The Sheriff of St. Mary's County shall make available license application forms for palm readers, fortune tellers, soothsayers, and psychics. The license shall cover a 1-year period and shall cost a fee set by the County Commissioners, by resolution.

C. The Sheriff may issue a license only upon photographing and fingerprinting the applicant and determining that the applicant has never been convicted of a felony or misdemeanor for which a sentence of unsuspended imprisonment of six (6) months or more was imposed unless the applicant:

(1) Was pardoned by the Governor of Maryland under Article II, Section 20 of the Maryland Constitution; or

(2) Was granted relief under Title 18, Section 925(c) of the United States Code.

D. Any conviction of a license holder for a felony or misdemeanor for which an unsuspended imprisonment of six (6) months or more has been imposed shall result in automatic revocation of the license.

E. This section does not apply to any activity conducted on behalf of any nonprofit or charitable agency or organization.

F. Any person violating the provisions of this section is guilty of a misdemeanor and is subject to a fine of not more than one thousand dollars (\$1,000.00) for each violation and imprisonment for not more than 60 days, or both.]

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2016.

Approved by the Governor, April 26, 2016.