

(D) IF THE BOARD OF LICENSE COMMISSIONERS APPROVES THE APPLICATION, THE APPLICANT MAY APPLY TO TRANSFER THE LICENSE TO AN OPERATOR OF THE TYPE OF BUSINESS FOR WHICH THE LICENSE WAS APPROVED IF:

(1) THE LICENSE IS FOR A LOCATION IN THE SITE FOR WHICH THE LICENSE WAS APPROVED; AND

(2) THE APPLICATION FOR TRANSFER OCCURS WITHIN 3 YEARS AFTER THE ORIGINAL APPLICATION FOR THE SITE IS APPROVED OR CONSTRUCTION AT THE LOCATION IS COMPLETED, WHICHEVER IS LATER.

(E) UNLESS OTHERWISE PROHIBITED BY LAW, THE BOARD OF LICENSE COMMISSIONERS MAY APPROVE A CHANGE OF LOCATION OF A LICENSE ISSUED UNDER THIS SECTION IF THE LICENSEE HAS ENGAGED IN AN ACTIVE ALCOHOLIC BEVERAGES BUSINESS UNDER THE LICENSE FOR AT LEAST 1 YEAR BEFORE APPLYING FOR THE CHANGE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a ye and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.

May 26, 2005

The Honorable Michael E. Busch  
Speaker of the House  
State House  
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 895 - *Criminal Procedure - Sex Offenses - Prohibition Against Probation Before Judgment*.

This bill includes specified additional sex offenses among those offenses for which a court is prohibited from staying the entering of judgment and placing a defendant on probation.

Senate Bill 107, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 895.

Very truly yours,  
Robert L. Ehrlich, Jr.  
Governor

**House Bill No. 895**

AN ACT concerning