

vending machine operator" § 610  
"Engage in the business of a cigarette  
wholesaler" § 610  
"License" § 610

616. SAME -- ASSIGNMENT, TRANSFER, AND SURRENDER.

(A) LICENSE ASSIGNMENT.

(1) A LICENSED RETAILER OR A LICENSED VENDING MACHINE OPERATOR MAY NOT ASSIGN THE LICENSE TO ANOTHER PERSON.

(2) IF A LICENSED SUBWHOLESALE OR LICENSED WHOLESALE WHO SELLS THE LICENSEE'S CIGARETTE BUSINESS PAYS TO THE COMPTROLLER A LICENSE ASSIGNMENT FEE OF \$10, THE LICENSEE MAY ASSIGN THE LICENSE TO THE PURCHASER OF THE CIGARETTE BUSINESS.

(B) LICENSE TRANSFER BY COMPTROLLER.

IF THE CIGARETTE BUSINESS OF ANY LICENSEE IS TRANSFERRED BECAUSE OF BANKRUPTCY, DEATH, INCOMPETENCY, RECEIVERSHIP, OR OTHER OPERATION OF LAW, THE COMPTROLLER SHALL TRANSFER THE LICENSE WITHOUT CHARGE TO THE LEGAL SUCCESSOR TO THE LICENSEE'S CIGARETTE BUSINESS.

(C) VOLUNTARY SURRENDER OF LICENSES.

(1) IF NO DISCIPLINARY PROCEEDINGS ARE PENDING AGAINST A LICENSED SUBWHOLESALE OR A LICENSED WHOLESALE WHO SURRENDERS THE LICENSE TO THE COMPTROLLER, THE COMPTROLLER SHALL REFUND A PRO RATA AMOUNT OF THE LICENSE FEE FOR THE UNEXPIRED TERM OF THE LICENSE.

(2) A LICENSED RETAILER OR A LICENSED VENDING MACHINE OPERATOR IS NOT ALLOWED A REFUND FOR THE UNEXPIRED TERM OF THE LICENSE.

REVISOR'S NOTE: This section is new language derived without substantive change from the first, second, third, and fifth sentences of former Art. 56, § 71.

Subsections (a)(1) and (c)(2) of this section are revised to apply to a licensee who makes retail sales, i.e., a licensed retailer and a licensed vending machine operator, for clarity.

Subsections (a)(2) and (c)(1) of this section are revised to apply to a licensee who makes wholesale sales -- i.e., a licensed subwholesaler and a licensed wholesaler, for clarity.

Subsection (b) of this section is revised to apply to any licensee, for clarity.

In subsection (c)(2) of this section, the former reference to "proration" is deleted as surplusage.