

(2) FRAUDULENTLY OR DECEPTIVELY USES A LICENSE; OR

(3) FAILS TO COMPLY WITH THE PROVISIONS AND REGULATIONS OF THE CIGARETTE SALES BELOW COST ACT.

(I) RIGHT TO HEARING.

(1) EXCEPT AS OTHERWISE PROVIDED IN TITLE 10, SUBTITLE 4 OF THE STATE GOVERNMENT ARTICLE, BEFORE THE COMPTROLLER TAKES ANY ACTION UNDER SUBSECTION (H) OF THIS SECTION, THE COMPTROLLER SHALL GIVE THE PERSON AGAINST WHOM THE ACTION IS CONTEMPLATED AN OPPORTUNITY FOR A HEARING BEFORE THE COMPTROLLER.

(2) THE COMPTROLLER SHALL GIVE NOTICE AND HOLD THE HEARING IN ACCORDANCE WITH TITLE 10, SUBTITLE 2 OF THE STATE GOVERNMENT ARTICLE.

(3) THE COMPTROLLER MAY ADMINISTER OATHS IN CONNECTION WITH ANY PROCEEDING UNDER THIS SECTION.

(4) THE PERSON MAY BE REPRESENTED AT THE HEARING BY COUNSEL.

(J) ENGAGING IN BUSINESS AS A CIGARETTE RETAILER WITHOUT LICENSE PROHIBITED.

A PERSON MAY NOT ENGAGE IN BUSINESS AS A CIGARETTE RETAILER IN A COUNTY UNLESS THE PERSON IS LICENSED UNDER THIS SECTION.

(K) VIOLATING REGULATION OF COMPTROLLER PROHIBITED.

A PERSON MAY NOT VIOLATE REGULATIONS ISSUED BY THE COMPTROLLER THAT APPLY TO A PERSON WHO ENGAGES IN BUSINESS AS A CIGARETTE RETAILER.

(L) PENALTY.

A PERSON WHO VIOLATES SUBSECTION (G), (H), (J) OR (K) OF THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE OF \$100.

REVISOR'S NOTE: This section is standard language substituted for former Art. 56, §§ 63 and 64 to restate the licensing requirements to make retail sales of cigarettes in counties.

This substitution is made for clarity and conformity to similar requirements for the licensing of occupations elsewhere in the Code.

Defined terms: "Cigarette" § 607
"Consumer" § 607 "Sell" § 607