

**Article 2B - Alcoholic Beverages**

10-103.

(b) Except as otherwise provided in this subtitle, every new application for a license shall be made to the Board of License Commissioners upon forms prescribed by the Comptroller and sworn to by the applicant. Every application for a license shall contain the following statements:

(13) (vi) 1. The provisions of this subparagraph apply only in Cecil County, Charles County, [and] Dorchester County, AND KENT COUNTY.

2. The Boards of License Commissioners shall:

A. Obtain criminal records of new alcoholic beverages license applicants from the Criminal Justice Information System Central Repository of the Department of Public Safety and Correctional Services;

B. Require applicants for new alcoholic beverages licenses to be fingerprinted; and

C. Forward the fingerprints through the Criminal Justice Information System Central Repository of the Department of Public Safety and Correctional Services for transmittal to the Federal Bureau of Investigation (F.B.I.) for a national criminal history records check. Applications for license renewal are not subject to these provisions.

3. The County Commissioners may set a fee to cover the cost of obtaining the fingerprints and the Maryland and national criminal history records check.

4. ~~The EXCEPT AS PROVIDED IN SUB-SUBPARAGRAPH 6 OF THIS SUBPARAGRAPH, THE~~ Boards shall keep all criminal records in a sealed envelope available only to the members of the Boards and the Clerks to the Boards. ~~THE KENT COUNTY BOARD SHALL ADOPT REGULATIONS TO FURTHER PRESERVE THE CONFIDENTIALITY OF ANY INFORMATION OBTAINED.~~

5. The hearing for a new applicant and the issuance of a license may not be delayed due to the failure of the F.B.I. to provide the requested criminal history records check by the date of the scheduled hearing.

6. THE KENT COUNTY BOARD OF LICENSE COMMISSIONERS SHALL:

A. KEEP ALL CRIMINAL RECORDS IN A SEALED ENVELOPE AVAILABLE ONLY TO THE MEMBERS OF THE BOARD AND THEIR DESIGNEES; AND

B. ADOPT REGULATIONS TO FURTHER PRESERVE THE CONFIDENTIALITY OF INFORMATION OBTAINED UNDER THIS SUBPARAGRAPH.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1997.

Approved May 8, 1997.