

IF THE SECRETARY DISAPPROVES AN APPLICATION FOR A DEALER'S LICENSE, THE SECRETARY SHALL NOTIFY THE APPLICANT IN WRITING OF THE DISAPPROVAL.

(C) EFFECT OF DISAPPROVAL.

A PERSON WHOSE APPLICATION FOR A DEALER'S LICENSE HAS BEEN DISAPPROVED MAY NOT ENGAGE IN THE BUSINESS OF SELLING, RENTING, OR TRANSFERRING REGULATED FIREARMS, UNLESS THE DISAPPROVAL HAS BEEN SUBSEQUENTLY WITHDRAWN BY THE SECRETARY OR OVERRULED BY A COURT IN ACCORDANCE WITH SUBSECTION (D) OF THIS SECTION.

(D) APPEAL.

(1) AN APPLICANT WHO IS AGGRIEVED BECAUSE THE SECRETARY HAS DISAPPROVED THE APPLICATION FOR A DEALER'S LICENSE MAY APPEAL TO THE CIRCUIT COURT OF THE COUNTY WHERE THE APPLICANT'S PLACE OF BUSINESS IS TO BE LOCATED.

(2) THE APPEAL MUST BE FILED NOT LATER THAN 30 DAYS AFTER THE SECRETARY MAILS NOTIFICATION OF DISAPPROVAL TO THE APPLICANT.

(3) IF THE APPEAL IS PROPERLY AND TIMELY FILED, THE COURT SHALL AFFIRM OR REVERSE THE DISAPPROVAL OF THE SECRETARY DEPENDING ON WHETHER THE COURT FINDS THAT:

(I) THE APPLICANT SUPPLIED FALSE INFORMATION OR MADE A FALSE STATEMENT; OR

(II) THE APPLICATION WAS NOT PROPERLY COMPLETED.

(4) THE SECRETARY OR THE APPLICANT MAY APPEAL THE DECISION OF THE CIRCUIT COURT TO THE COURT OF SPECIAL APPEALS.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 443(g), (h), and the second sentence of (f).

In subsections (b) and (d)(2) of this section, the reference to the "applicant" is substituted for the former reference to the "prospective licensee" to conform to the terminology used throughout this subtitle. Similarly, in subsection (d)(1) of this section, the reference to an "applicant" is substituted for the former reference to a "person".

In subsection (c) of this section, the references to "renting" and "transferring" regulated firearms are added to reflect all the activities that a person whose application for a dealer's license had been disapproved would be prohibited from taking.

Also in subsection (c) of this section, the former reference to a disapproval that is overruled by "the action" of a court is deleted as surplusage.

In subsection (d)(1) of this section, the former reference to the applicant's "intended" place of business is deleted as implicit in the clause "where the applicant's place of business is to be located".