(4) A PERSON WHO, WHEN THE APPLICATION IS SUBMITTED, IS AN AGENT, DIRECTOR, EMPLOYEE, MEMBER, OFFICER, OWNER, PARTNER, OR SPOUSE OF THE APPLICANT:

(I) HAS HAD A LICENSE REVOKED; OR

(II) IS RESPONSIBLE FOR AN ACT OR OMISSION THAT RESULTED IN REVOCATION OF A LICENSE.

REVISOR'S NOTE: Subsections (a) and (b)(3) of this section are new language derived without substantive change from former Art. 56, § 328(a)(1) and (b).

Subsection (b)(1) and (2) of this section is new language added to conform to almost all of the licensing acts adopted by the General Assembly in the past several years. See, e.g., the sections on disciplinary action in the various titles of the Business Occupations and Professions Article.

The Business Regulation Article Review Committee notes, for consideration by the General Assembly, that former Art. 56, § 328(a)(1) did not say that an applicant is entitled to a hearing on denial of a license. The Committee added the reference to a hearing based on the reference, in former Art. 56, § 328(a)(1), to the Board finding grounds to deny a license.

The Committee also notes that subsection (b)(4) of this section is only a ground for denial of a license and not a ground for reprimanding a licensee or suspending or revoking a license.

Defined terms: "Board" § 7-101
"License" § 7-101
"Person" § 1-101

7-304. ISSUANCE OF LICENSE.

(A) NOTICE.

IF AN APPLICANT QUALIFIES FOR A LICENSE, THE BOARD SHALL SEND THE APPLICANT A NOTICE THAT STATES THAT:

(1) THE APPLICANT HAS QUALIFIED FOR A LICENSE; AND

(2) THE BOARD WILL ISSUE THE LICENSE TO THE APPLICANT AFTER THE APPLICANT SUBMITS TO THE COMMISSIONER EVIDENCE OF A SURETY BOND, AS PROVIDED IN SUBSECTION (B) OF THIS SECTION.

(B) SURETY BOND.

(1) AN APPLICANT FOR A LICENSE SHALL EXECUTE A SURETY BOND FOR THE BENEFIT OF ANY MEMBER OF THE PUBLIC WHO HAS A LOSS OR OTHER DAMAGE AS A RESULT OF A VIOLATION OF THIS TITLE BY THE APPLICANT OR AN AGENT OR EMPLOYEE OF THE APPLICANT.

(2) THE SURETY BOND SHALL BE: