

§651. Applications

1. File application with bureau. An applicant for a license or certificate of approval under this Title shall file an application in the form required by the bureau.

[PL 2021, c. 658, §92 (AMD).]

2. Contents of application. The application must contain the following.

A. An applicant shall disclose any person that holds an ownership interest equal to or greater than 10% in the person for which a license or certificate of approval is sought. If the applicant is a purchaser by contract, the applicant shall also disclose the terms of the contract.

(1) For any person that holds an ownership interest equal to or greater than 10% in the person for which a license or certificate of approval is sought and is a business entity, the applicant shall disclose any person that holds an ownership interest in that business entity that holds an ownership interest equal to or greater than 10% in the person for which a license or certificate of approval is sought.

(2) For any person that holds an ownership interest equal to or greater than 10% in the person for which a license or certificate of approval is sought and is a business entity, the applicant may attest to the bureau by affidavit that no person that holds an ownership interest in that business entity holds an ownership interest equal to or greater than 10% in the person for which a license or certificate of approval is sought. [PL 2023, c. 633, §1 (RPR).]

A-1. An applicant shall disclose any person that holds an indirect financial interest in the person for which a license or certificate of approval is sought. For the purposes of this paragraph, "indirect financial interest" means:

(1) An option, warrant or other right to acquire an equity interest in the person for which a license or certificate of approval is sought; or

(2) A right to payment of, or a right to payment based upon, all or any portion of revenues, profits or losses derived from the operations under a license or certificate of approval issued under this Title of the person for which a license or certificate of approval is sought, including, but not limited to, profit sharing, revenue sharing or royalty payments. [PL 2023, c. 633, §2 (NEW).]

B. An applicant for a license for the sale of liquor for on-premises consumption shall include in the application a description of the premises to be licensed and provide any other material information, description or plan of that part of the premises where the applicant proposes to keep or sell liquor as the bureau requires. [PL 2021, c. 658, §92 (AMD).]

C. The owner or the bona fide prospective purchaser shall sign the application. If the owner or bona fide prospective purchaser is:

(1) A natural person, then that person shall sign;

(2) A partnership, then the partners of the partnership shall sign; or

(3) A corporation, then a principal officer of the corporation or any person specifically authorized by the corporation shall sign. [PL 2021, c. 658, §92 (AMD).]

[PL 2023, c. 633, §§1, 2 (AMD).]

3. False answer given intentionally. An applicant may not attempt to conceal or disguise ownership interest or indirect financial interest in the person for which a license or certificate of approval is sought. A person who intentionally gives an untruthful answer in an application for a license or certificate of approval under this Title violates Title 17-A, section 453. As used in this subsection, "indirect financial interest" has the same meaning as in subsection 2, paragraph A-1.

[PL 2023, c. 633, §3 (AMD).]

4. Rulemaking. The bureau may adopt routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A to administer this section.

[PL 2023, c. 633, §4 (NEW).]

SECTION HISTORY

PL 1987, c. 45, §A4 (NEW). PL 1987, c. 342, §30 (AMD). PL 1997, c. 373, §§60,61 (AMD). PL 2021, c. 658, §92 (AMD). PL 2023, c. 633, §§1-4 (AMD).

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