

Article - Alcoholic Beverages

[Previous][Next]

§10–204.

(a) (1) Except as otherwise provided in this section, the local collecting agent shall remit all license fees collected under this article to the board of county commissioners or county fiscal officer for the county, or to the Mayor and City Council of Baltimore, as the case may be.

(2) The board of county commissioners or Mayor and City Council of Baltimore shall use the portion of the receipts as may be necessary to pay refunds as provided in this section, and devote the balance to the general purposes of the county or city, as the case may be.

(3) The Comptroller's office may retain from the license and permit fees collected by the office for the use of the State of Maryland sums necessary to pay refunds on licenses issued by the office and the expenses incurred by the office in the discharge of the duties imposed by this article.

(b) (1) This subsection applies only in Allegany County.

(2) The Director of Finance is the local collecting agent. The Director of Finance shall:

(i) Credit 5 percent of the license fees received for licenses that are issued to a place of business located in a municipal corporation to the general fund of the county to cover administrative costs; and

(ii) Pay 50 percent of the remaining license fees received for licenses that are issued to a place of business located in a municipal corporation in the county to the municipal corporation.

(3) (i) The chairman of the Board of License Commissioners shall submit to the Director of Finance the total amount of the Board's budget, including:

1. Salaries for the Board members;
2. Salaries for such other employees as the Board deems necessary; and
3. All other necessary expenses.

(ii) From the receipts, the County Commissioners shall pay:

1. The salaries of the Board of License Commissioners and its employees once every 2 weeks; and

2. The expenses of the Board of License Commissioners upon draft properly signed by the chairman of the Board.

(iii) The salaries and expenses of the employees of the Board shall be subject to the approval of the County Commissioners.

(c) (1) Except for licenses granted to places of business located in the City of Annapolis, the Anne Arundel County Board of License Commissioners shall:

(i) Collect all alcoholic beverages license fees; and

(ii) Issue all alcoholic beverages licenses authorized under this article for Anne Arundel County.

(2) (i) The Anne Arundel County Board of License Commissioners shall remit to the county all fees collected by the Board.

(ii) The county shall pay from the receipts the salaries and expenses of the Board and of its employees, as approved by the State Comptroller, and shall devote the balance of the receipts to the general purposes of the county.

(3) The City Clerk of the City of Annapolis shall:

(i) Collect all alcoholic beverages license fees for licenses granted to places of business located in the City of Annapolis; and

(ii) Issue all alcoholic beverages licenses authorized under this article for the City of Annapolis.

(4) (i) The City Clerk of the City of Annapolis shall remit to the City of Annapolis all fees collected by the City Clerk.

(ii) The City of Annapolis shall devote the receipts to the general purposes of the City.

(d) (1) In this subsection, "Board" means the Board of Liquor License Commissioners of Baltimore City.

(2) This subsection applies only in Baltimore City.

(3) The revenue from license fees, permit fees, fines, and advertising fees shall be payable to the Director of Finance.

(4) The Board shall:

(i) Submit a budget request to Baltimore City annually in the form that the Director of Finance requires; and

(ii) Provide additional budget justification material that the Director

of Finance requests.

(5) The Board shall ensure that each fee or fine that the Board imposes and collects is prominently listed on the Web site of the Board.

(6) The Mayor and City Council of Baltimore shall:

(i) Pay from the general fund of Baltimore City that includes revenue from the Board, the salaries and expenses of the Board and its employees; and

(ii) Devote the balance of the revenue from the Board to the general purposes of the City.

(7) (i) The Board annually shall establish performance measures using the Citistat program of the City of Baltimore for such activities as:

1. Financial management;
2. Issuance of licenses; and
3. Enforcement of alcoholic beverages laws.

(ii) The Board shall make the performance measures available to the public on the Open Baltimore Web site.

(8) On request, the Board shall submit to the Office of Legislative Audits performance accountability reports to ensure that the Board is on track to meet its annual performance measures.

(e) Baltimore County shall pay from the license fees all salaries and expenses of the Board of License Commissioners as determined by the county, and shall devote the balance of the license fees to the general purposes of the county. The phrase “the general purposes of the county” in Baltimore County includes the general purposes of the highways and the general purposes of the metropolitan district department of the county.

(f) Calvert County Board of County Commissioners shall pay the salaries and expenses of the Board of License Commissioners for Calvert County. Where the licensed place of business is located in an incorporated town 50 percent of the net license fee shall be payable to the incorporated town and the remaining 50 percent and all the net license fees for places of business located outside an incorporated town shall be used by the County Commissioners for the purposes of the county.

(g) In Caroline County, the provisions of subsection (a) of this section apply.

(h) In Carroll County, the County Commissioners shall forthwith pay 25 percent of the sum to the incorporated town in which the place of business is located.

(i) Repealed.

(j) (1) In Charles County, the Board of License Commissioners shall remit promptly to the Board of County Commissioners:

(i) All license fees collected under this article; and

(ii) Any refunds paid under this article.

(2) Any amount paid to the Board of County Commissioners under paragraph (1) of this subsection shall be applied to the general fund of the county.

(3) Any person violating any of the provisions of paragraph (1) of this subsection shall be punished by a fine not exceeding \$500.

(k) In Dorchester County, the provisions of subsection (a) of this section apply.

(l) (1) This subsection applies only in Frederick County.

(2) The County Treasurer shall:

(i) Receive all of the license fees that the Board of License Commissioners collects; and

(ii) From those fees, pay all of the salaries and expenses of the Board.

(m) The Board of License Commissioners of Garrett County shall pay 50 percent of the license fee or \$500, whichever is less, to the mayor and council of the incorporated town in which the licensed premises are located.

(n) (1) (i) In this subsection the following words have the meanings indicated.

(ii) "Board" means the Harford County Liquor Control Board.

(iii) "Reserve Account" means the Reserve Account of the Harford County Liquor Control Board.

(2) The provisions of this subsection apply only in Harford County.

(3) Except as provided in paragraph (4) of this subsection, the net proceeds of all funds received by the Board from the sale of licenses under the provisions of this article, outside of the corporate limits of the municipalities of Aberdeen, Bel Air and Havre de Grace, shall be paid to the Treasurer and credited to the general funds of the county.

(4) (i) There is a Reserve Account of the Board.

(ii) The purpose of the Reserve Account is to ensure that issuance and

renewal of licenses, licensing enforcement, and other services that the Board provides will continue to be met in the face of unanticipated financial events or circumstances.

(iii) A designee of the Board shall administer the Reserve Account.

(iv) The Reserve Account is a special, nonlapsing account.

(v) The Board shall hold the Reserve Account separately and account for the Reserve Account.

(vi) The Reserve Account consists of:

1. Money distributed to the Board from license fees;

2. Fines imposed for a violation of this article in Harford County under § 16–502(a)(3) of this article;

3. Except for bonds forfeited under § 14–101(c) of this article, recognizances forfeited for a violation of this article in Harford County under § 16–502(a)(3) of this article;

4. Interest or other income earned from the investment of any portion of the Reserve Account; and

5. Any other money from any other source accepted for the benefit of the Reserve Account.

(vii) Each year, the amount payable into the Reserve Account may not be more than 20% of the aggregate net proceeds received by the Board.

(viii) Expenditures from the Reserve Account may occur if the Board determines that appropriations for the current year exceed expected revenues.

(ix) The Reserve Account may not exceed \$100,000 at any time.

(5) The net proceeds of the funds derived from the sale of licenses within the corporate limits of the municipalities of Aberdeen, Bel Air and Havre de Grace, after the deduction of a proportionate part of the expenses incident to the proper administration and enforcement of this article, shall be paid by the Board to the treasurers of the respective towns, to be applied to the payment of the interest and the redemption of the principal of any bonded indebtedness.

(6) All expenses incident to the proper administration and enforcement of this article, including the salaries of the members of the Board, and the proper proportion of the salaries of any employees of the Board, whose duties include the handling of licenses, including the salaries of officers, inspectors, etc., shall be deducted proportionately from the shares of the license fees payable as set forth in this subsection, to the general funds of the county and the governing bodies of the

three municipalities.

(7) (i) Prior to the beginning of each fiscal year, the Board shall submit an annual budget to the County Council and County Executive for review.

(ii) Except as provided under § 15–205(i)(3) of this article, the budget is not subject to approval by the County Council or County Executive.

(iii) The expenditure of license fees collected by the Board for the administration and enforcement of county liquor laws is a matter entirely within the sound discretion of the Board and the provisions of this subsection.

(o) (1) In Howard County:

(i) The Board of License Commissioners shall issue the license; and

(ii) The Director of Finance shall collect the license fees.

(2) The county shall:

(i) Pay from the receipts the salaries and expenses of the Board of License Commissioners; and

(ii) Devote the balance of the receipts to the general purposes of Howard County.

(p) In Kent County, the provisions of subsection (a) of this section apply.

(q) In Montgomery County, the provisions of subsection (a) of this section apply.

(r) In Prince George's County, the Prince George's County Director of Finance shall collect fees for the County Executive and County Council, which shall use a portion of the receipts to pay the salaries and expenses of the Board of License Commissioners.

(s) Repealed.

(t) In St. Mary's County the County Treasurer shall collect the alcoholic beverages license fees and shall pay to the Commissioners of Leonardtown, for general corporate purposes, the funds received from licenses issued to premises within the limits of town.

(u) In Somerset County, the provisions of subsection (a) of this section apply.

(v) In Talbot County the salaries of the Board of License Commissioners and the necessary office, clerical, and investigational expenses of the Board shall be paid by the County Council out of receipts from licenses for the sale of alcoholic beverages. However, the Board may expend in its discretion not more than \$3,500 in any year for salaries and expenses.

(w) In Washington County the Board of License Commissioners shall deduct funds necessary to pay its salaries and its employees' salaries, and such other expenses as the Board may deem necessary. The Board shall pay over the net proceeds of the license fees ratably to the incorporated town in which the place of business is located or to the County Commissioners for the use of the county, if the place of business is not located in an incorporated town.

(x) In Wicomico County the County Council shall pay the salaries and expenses of the Board of License Commissioners.

(y) In Worcester County the Board of County Commissioners shall pay the salaries and expenses of the Board of License Commissioners.

[Previous][Next]