

HOUSE BILL 1115

L2, C2

6lr0659

By: **Montgomery County Delegation**

Introduced and read first time: February 11, 2016

Assigned to: Economic Matters

Committee Report: Favorable

House action: Adopted

Read second time: March 12, 2016

CHAPTER _____

1 AN ACT concerning

2 **Montgomery County – Cigarette Retailers – County License Fee**

3 **MC 12–16**

4 FOR the purpose of increasing the fee for a county license to sell cigarettes at retail in
5 Montgomery County; requiring the Clerk of the Circuit Court for Montgomery
6 County to distribute a certain amount of each license fee to the Comptroller and to
7 distribute to Montgomery County a certain amount of each license fee to be used for
8 a certain purpose; and generally relating to cigarette retailer licenses in Montgomery
9 County.

10 BY repealing and reenacting, without amendments,
11 Article – Business Regulation
12 Section 16–101 and 16–301
13 Annotated Code of Maryland
14 (2015 Replacement Volume and 2015 Supplement)

15 BY repealing and reenacting, with amendments,
16 Article – Business Regulation
17 Section 16–302
18 Annotated Code of Maryland
19 (2015 Replacement Volume and 2015 Supplement)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
21 That the Laws of Maryland read as follows:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



Article – Business Regulation

16–101.

(a) In this title the following words have the meanings indicated.

(b) “Cigarette” means any size or shaped roll for smoking that is made of tobacco or tobacco mixed with another ingredient and wrapped in paper or in any other material except tobacco.

(c) “County license” means a license issued by the clerk to sell cigarettes at retail in a county.

(d) “Sell” means to exchange or transfer, or to agree to exchange or transfer, title or possession of property, in any manner or by any means, for consideration.

(e) (1) “Sell cigarettes at retail” means to sell cigarettes to a consumer.

(2) “Sell cigarettes at retail” includes selling cigarettes through a vending machine.

16–301.

Whenever a person sells cigarettes at retail in a county, the person must have a county license for:

(1) each place of business; and

(2) each vending machine, if the applicant sells cigarettes through a vending machine.

16–302.

(A) For each county license, an applicant shall:

(1) submit an application to the clerk; and

(2) pay to the clerk a license fee of:

(i) \$25 in a county other than Cecil County **OR MONTGOMERY COUNTY; [or]**

(ii) \$50 in Cecil County; **OR**

(iii) **\$125 IN MONTGOMERY COUNTY.**

1 **(B) FROM EACH LICENSE FEE COLLECTED UNDER SUBSECTION (A) OF THIS**
2 **SECTION, THE CLERK OF THE CIRCUIT COURT FOR MONTGOMERY COUNTY SHALL**
3 **DISTRIBUTE:**

4 **(1) \$25 TO THE COMPTROLLER; AND**

5 **(2) \$100 TO MONTGOMERY COUNTY TO BE USED TO ENFORCE**
6 **EXISTING LAWS BANNING THE SALE OR DISTRIBUTION OF TOBACCO OR TOBACCO**
7 **PRODUCTS TO MINORS.**

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 October 1, 2016.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.