

Chapter 299

(House Bill 1135)

AN ACT concerning

**Prince George’s County – Board of License Commissioners – Budget and Funding**

**PG 308–16**

FOR the purpose of ~~altering procedures for the approval of the annual budget for the Board of License Commissioners of Prince George’s County; providing that the budget is not subject to the approval of the County Council or County Executive of Prince George’s County if the budget does not exceed the amount of certain estimated revenues; providing for the manner in which certain revenue is estimated~~ requiring the County Executive and County Council of Prince George’s County to recognize and categorize the Board of License Commissioners of Prince George’s County as a public safety agency for budgetary purposes; authorizing the Board County Council to include in the budget a certain maximum amount for certain purposes; requiring the County Executive and County Council to establish a certain fund for a certain purpose; prohibiting the use of the fund in a certain manner; requiring the County Executive and County Council to distribute a certain amount to the fund; requiring the Board to use the money in the fund, on or before a certain date, for certain purposes; making conforming changes; providing for the termination of certain provisions of this Act; and generally relating to the budget and funding for the Board of License Commissioners of Prince George’s County.

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages  
Section 10–204(r) and 15–109(r)(6)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages  
Section 26–205(e) and 26–207  
Annotated Code of Maryland  
(As enacted by Chapter \_\_\_\_ ~~(S.B. \_\_\_\_\_)(61r1406)~~ (S.B. 724) of the Acts of the  
General Assembly of 2016)

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

**Article 2B – Alcoholic Beverages**

10–204.

(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 AS PROVIDED IN § 15-109(R)(6) OF THIS ARTICLE.

15-109.

(r) (6) (i) The County Council shall pay for all expenses of the Board of License Commissioners upon the submission of an annual budget.

(ii) [In] SUBJECT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH, IN that budget, the salary of the members of the Board, the salary of the attorney for the Board, and any additional compensation for legal fees for the attorney for the Board, shall be approved as hereinbefore set forth.

(iii) 1. Except as provided in subparagraph (iv) of this paragraph, all other expenses, including, but not restricted to, the salary of the administrator as limited herein, compensation of other personnel, who shall be qualified and employed under the county merit system, printing, supplies, and office space, shall be at the discretion of the County Council.

2. THE COUNTY EXECUTIVE AND THE COUNTY COUNCIL SHALL RECOGNIZE AND CATEGORIZE THE BOARD AS A PUBLIC SAFETY AGENCY FOR BUDGETARY PURPOSES.

3. THE COUNTY COUNCIL MAY INCLUDE IN THE BUDGET AN AMOUNT NOT TO EXCEED \$50,000 FOR THE PURPOSE OF MAINTAINING SOFTWARE AND MOBILE DEVICES USED TO MODERNIZE PRACTICES AND INCREASE THE EFFICIENCY AND TRANSPARENCY OF THE BOARD.

~~SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,~~

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

### **Article – Alcoholic Beverages**

26-205.

(e) (1) Subject to paragraph (3) of this subsection, on the submission by the Board of an annual budget, the County Council shall pay for all expenses of the Board.

(2) In the budget, the salaries of the members and the attorney for the Board and any additional compensation for legal fees for the attorney shall be [approved]

as set forth under subsection (c) of this section and [§ 26–204] §§ 26–204 AND 26–206(G) of this subtitle.

(3) (I) ~~¶~~ Except as provided in § 26–206(g) of this subtitle, payments for all other expenses shall be at the discretion of the County Council, including:

~~(i)~~ 1. the salary of the administrator under subsection (b)(3) of this section;

~~(ii)~~ 2. compensation of other personnel, who shall be qualified and employed under the County merit system;

~~(iii)~~ 3. printing;

~~(iv)~~ 4. supplies; and

~~(v)~~ 5. office space. ~~THE BUDGET IS NOT SUBJECT TO APPROVAL BY THE COUNTY EXECUTIVE OR COUNTY COUNCIL IF THE BUDGET DOES NOT EXCEED THE AMOUNT OF THE ESTIMATED REVENUES OF THE BOARD FOR THE PREVIOUS FISCAL YEAR.~~

(II) THE COUNTY EXECUTIVE AND THE COUNTY COUNCIL SHALL RECOGNIZE AND CATEGORIZE THE BOARD AS A PUBLIC SAFETY AGENCY FOR BUDGETARY PURPOSES.

~~(H) FOR THE PURPOSE OF CALCULATING THE ESTIMATED REVENUES FOR THE PREVIOUS FISCAL YEAR UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE BOARD SHALL ESTIMATE REVENUES BASED ON ACTUAL REVENUES RECEIVED AT THE TIME OF THE ESTIMATION AND REVENUES RECEIVED FOR THE PREVIOUS 2 FISCAL YEARS.~~

~~(III) SUBJECT TO THE LIMIT ON THE BUDGET UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE BOARD~~ THE COUNTY COUNCIL MAY INCLUDE IN THE BUDGET AN AMOUNT NOT TO EXCEED \$50,000 FOR THE PURPOSE OF MAINTAINING SOFTWARE AND MOBILE DEVICES USED TO MODERNIZE PRACTICES AND INCREASE THE EFFICIENCY AND TRANSPARENCY OF THE BOARD.

26–207.

(a) The Director of Finance shall collect fees for the County Executive and County Council.

(b) The County Executive and County Council shall:

(1) use the fees collected to pay:

- (i) refunds issued in accordance with § 26–1410 of this title; and
  - (ii) the salaries and expenses of the Board **AS PROVIDED IN § 26–205 OF THIS SUBTITLE**; and
- (2) credit the balance of the fees collected to the general fund of the County.

**SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That:**

(a) The County Executive and County Council of Prince George’s County shall establish an Alcoholic Beverages Capital Investment and Modernization Fund as a special fund to be used by the Board of License Commissioners of Prince George’s County to purchase equipment and software for the Board to modernize practices and increase the efficiency and transparency of the Board.

(b) The Alcoholic Beverages Capital Investment and Modernization Fund may not be used to employ additional staff or to raise salaries for current staff.

(c) Notwithstanding § 26–207 of the Alcoholic Beverages Article, as enacted by this Act, beginning July 1, 2016, the County Executive and County Council of Prince George’s County shall distribute \$300,000 of revenue collected for license fees under the Alcoholic Beverages Article to the Alcoholic Beverages Capital Investment and Modernization Fund.

(d) On or before December 31, 2016, the Board of License Commissioners of Prince George’s County shall use the money in the Alcoholic Beverages Capital Investment and Modernization Fund to:

- (1) purchase mobile devices to be used by the enforcement staff to maximize efficiency; and
- (2) purchase software and devices to integrate new data with existing data of the Board of License Commissioners of Prince George’s County and its staff.

**SECTION ~~3~~ 4. AND BE IT FURTHER ENACTED, That ~~this Act shall take effect June 1, 2016. Section 2 of this Act shall remain effective for a period of 7 months and, at the end of December 31, 2016, with no further action required by the General Assembly. Section 2 of this Act shall be abrogated and of no further force and effect. Section 2 of this Act shall take effect on the taking effect of Chapter (S.B. 724) of the Acts of the General Assembly of 2016. If Section 2 of this Act takes effect, Section 1 of this Act shall be abrogated and of no further force and effect.~~**

**SECTION 5. AND BE IT FURTHER ENACTED, That, except as provided in Section 4 of this Act, this Act shall take effect June 1, 2016. Section 3 of this Act shall remain effective for a period of 7 months and, at the end of December 31, 2016, with no further**

action required by the General Assembly, Section 3 of this Act shall be abrogated and of no further force and effect.

**Approved by the Governor, April 26, 2016.**